

**In the United States District Court  
For the Southern District of Texas  
Houston Division**

|  |                                     |
|--|-------------------------------------|
| <b>Frederic N. Eshelman;</b>               |                                     |
| <i>Plaintiff,</i>                          |                                     |
| <b>v.</b>                                  | <b>Civil Case No. 4:20-cv-04034</b> |
| <b>True the Vote, Inc., <i>et al.</i>;</b> | <b>JUDGE CHARLES ESKRIDGE, III</b>  |
| <i>Defendants.</i>                         |                                     |

**Declaration of Catherine Engelbrecht in Support of Defendants’  
Responses in Opposition to Plaintiff’s Verified Emergency  
Application for Temporary Restraining Order and Verified  
Motion for Preliminary Injunction and Exhibits 1-7 Thereto**

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<sup>1</sup>The page numbers used in this Table are those assigned by the viewing software.

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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|--|---|
| <b>Fredric N. Eshelman;</b><br><br><i>Plaintiff,</i><br><br><i>v.</i><br><br><b>True the Vote, Inc., et al.;</b><br><br><i>Defendants.</i> | <b>Civil Case No. 4:20-cv-04034</b><br><br><b>Declaration of Catherine Engelbrecht in<br/>Opposition to Plaintiff’s Application for<br/>Temporary Restraining Order and Motion<br/>for Preliminary Injunction</b> |
|--|---|

**Declaration of Catherine Engelbrecht**

I, Catherine Engelbrecht, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am the President of True the Vote, Inc. (“TTV”) and, except where noted otherwise, I have personal knowledge of the facts presented herein.
2. I am offering this declaration in support of Defendants’ opposition to Plaintiff’s application for temporary restraining order and motion for preliminary injunction in the above-captioned matter.
3. TTV has been working for election integrity since 2009. The organization is now a 501c(3) organization, whose mission and purpose is to promote security and integrity of the voting process. The organization operates entirely and exclusively on the contributions of its donors. Before a donor contributes, I often discuss with them the current and proposed activities and projects of TTV. If a donor had wanted to impose conditions on a

gift, I always expected that the donor would make that explicit and I would have had to agree to the conditions attached to the prospective gift.

4. TTV has become a nationwide resource for information and training aimed at educating citizens, ensuring the accuracy of voter rolls and voting on election days, providing research and support for litigation and legislative reforms in keeping with our mission. Among the ways to protect the voting process from ineligible votes, it is important to identify both the process failures, along with conscious efforts, that sometimes subvert the legal process of registering and administering the election process.

5. As part of its efforts in the 2020 general election, TTV created and implemented a means by which people could report voting irregularities and fraud. We called this an “Election Integrity Hotline”, which was launched in early October 2020 and staffed with a trained support team, ready for the taking of calls and online reports, 24 hours a day. In addition to these efforts, TTV also made efforts on various social media sites and platforms to encourage those with information about voting problems to come forward.

6. TTV received thousands of responses from these efforts across many states. All of the responses had to be vetted and examined in terms of veracity and a determination if the information was an indicator of a need for further review. Some of the people responding were integrated into broad scale systems, particularly with respect to vote harvesting, that made their coming forward what is referred to by us as a “whistleblower.” With the vetted and qualified information in hand from these efforts, TTV worked, and continues to work still, with a broad array of researchers, investigators, law enforcement and other



government authorities to help build comprehensive cases of identified improprieties relating to the election process.

7. Following the national election on November 3, 2020, there arose many questions about the manner in which many of the states went about the electoral process, specifically in the counting of votes, and whether or not the apparent and declared winner of these elections truly had the most valid votes. In order to make this determination, and in concert with concerned citizens in four different states willing to participate as party plaintiffs, TTV attorneys filed lawsuits to acquire the basic, but critical, data from election officials so as to compare the voters with voter rolls, using sophisticated data analysis techniques to identify the potential for election improprieties and ineligible voters.

8. TTV hired a private company, OpSec, LLC (“OpSec”) owned and operated by Gregg Phillips, a co-defendant in this litigation. I have known Mr. Phillips for many years, and work with him in a separate, completely unrelated for-profit software company related to real-time identification of healthcare coverage and prevention of waste, fraud, and abuse in healthcare-related government programs. TTV worked with OpSec throughout 2020 on a variety of projects involving data collection, investigation and research, analytics, media production, and software development. They were specifically tasked with overseeing research related to litigation and challenges, and the development and support of the “Election Integrity Hotline,” with extensive responsibility for the arduous task of vetting the information received. That requires interviewing witnesses, examining documents, and uncovering supporting evidence sufficient to open investigations, secure indictments, and support litigation, as necessary . OpSec assembled teams of data miners, analysts, investigators, and subject matter experts. In Texas, Georgia, Pennsylvania, Nevada,

Arizona, Michigan, and Wisconsin, TTV, through OpSec, supported “whistleblower” investigations and implemented a variety of complex regression analyses using public and commercially sourced data to determine whether or not voters were truly eligible based on their residency, identity and other factors, as appropriate on a state-specific basis.

9. At the same time, and as part of the overall efforts of True the Vote, we worked to coordinate volunteers and other interested people to gather information and garner support in key states. In Michigan, Wisconsin, Pennsylvania, Georgia, Arizona, and Texas, we identified and shared some of our information and data conclusions with public officials interested in ensuring voting integrity in the 2020 general and future elections. In the hours and days immediately after the November 3 election, there was constant activity across these and other states, all of which was designed to get answers to whether or not there was evidence of voter fraud or any other improper activity surrounding the election.

10. Some time during the morning of November 5, 2020, I was alerted that Dikran Yacoubian had called TTV’s main line and left a message indicating he represented a donor interested in making a major donation. I phoned him, and he explained that he’d first heard of TTV through a mutual acquaintance, that he had long been interested in somehow working together, and importantly that he wanted to introduce a “major donor” prepared to make a \$500,000 donation.

11. Mr. Yacoubian then asked me to speak to a man he described as his partner, Tom Crawford. Minutes later, the three of us were speaking together and I explained True the Vote’s work and projects that were then in operation and, in particular, our election integrity whistleblower hotline. Mr. Crawford said that the donor they represented was

interested in “getting involved”. He asked me to stay on the line while he conferenced in Fred Eshelman.

12. Within minutes, I was on the phone with Mr. Yacoubian Mr. Crawford, and Mr. Eshelman. This November 5<sup>th</sup> phone call was the first time I had ever had a conversation with Mr. Eshelman. I was asked to describe our mission and current activities to Mr. Eshelman, which of course I did in some detail. In particular, Mr. Eshelman was interested in the “election integrity hotline” and the opportunity to identify whistleblowers and others with information about possible election improprieties. After the four-way conversation that did not seem to take more than 20 minutes and answering relatively basic, minimal questions, Mr. Eshelman said “I’m in for 2.” Mr. Crawford questioned “\$200,000?”, and Mr. Eshelman responded “\$2 million”. He said he believed we needed to scale our efforts as quickly as possible. He also said that he would attempt to find other large donors such as himself to likewise support our efforts with funding. The conversation ended with instructions that Mr. Crawford and Mr. Yacoubian were to get wiring information. I received a subsequent text from Mr. Yacoubian asking for wiring instructions, and responded with that information, also via text. Within a matter of a few hours, Eshelman’s \$2 million gift was in our bank account.

13. In a follow-up call with Mr. Crawford, he said that when [Eshelman] goes, he goes big, and that this could be just the beginning, that our operation was fundable and expandable. He recommended that TTV should think of the \$2 million in two tranches, with \$1 million for “whistleblower” program resources and \$1 million for general operations.

14. Mr. Crawford also told me that Mr. Eshelman was asking for some written documentation that could be used to show others about the True the Vote's operation so as to entice them to contribute as well. With this request, later that day I drafted and produced to Mr. Crawford a one-page document entitled "Validate the Vote 2020", a name Mr. Crawford had suggested after the phone call with Eshelman, which outlined our very broad plans, and which identified a total budget of \$7.5 million for the entire operation, including litigation, which had not been discussed on the earlier four-way phone call. Most of the one-page document was based on a litigation proposal I received from our General Counsel, James Bopp, Jr., several hours after the Eshelman call and I was not aware of his ideas for litigation until after the Eshelman call.

15. Of course, during the call with Eshelman, I had outlined our then current operations and discussed some of the additional ideas we had, but there was never any discussion of a "Validate the Vote" program, since the name itself did not even exist then, or the details of what became known later as the "Validate the Vote" project, since no details of such a project had been formulated by the time of the call.

16. Furthermore, there was no discussion or suggestion of any sort between Mr. Eshelman and myself, or his agents Mr. Crawford and Mr. Yacoubian and myself, that Eshelman's gift was conditional in any way. And Mr. Eshelman did not suggest that if we were not able to accomplish our goals, he would expect to get his donation returned to him. I never agreed to cede any control or direction of our operations, or to offer him a decision making role in how we would perform our activities. Likewise, Mr. Eshelman never asked for such control. Simply put, following a short telephone conversation with me, Mr. Eshelman contributed \$2 million to our organization, for which he is entitled to a charitable

deduction like all of our contributors. Likewise, there was no communication, written or oral, where any limitation or condition was imposed on his contribution, or even discussed, or that if we did not do certain things, or certain things to his liking, or even if we failed to move on some of the goals which we had broadly discussed, he would be entitled to a return of his funds. It was not until after I spoke with Mr. Eshelman about an invoice TTV had received from Old Town Digital Agency for \$1,000,000, which I was concerned about paying, that our relationship took a very negative turn, within a few days leading to his becoming extremely angry with us and demanding all or whatever of his money we still had, stating that his gift was conditional on carrying out the Validate the Vote project and that he was entitled to his money back since TTV had not carried out the project to his liking.

17. Following the delivery of the gift, we continued with our efforts. The influx of money from Mr. Eshelman permitted us to scale up our operations significantly. Through OpSec, we were able to expand our hotline, as well as our investigations. On our behalf, OpSec contracted and managed teams of data miners and analysts. They made significant purchases of data and other supporting infrastructure including server set-ups, database designs, and security, all of which we needed to efficiently and securely track individual voters to determine their residency and therefore their ability to legally vote. We traveled to various locations to interview whistleblowers. We paid for security for whistleblowers whose personal safety was affected by their willingness to cooperate. One of our whistleblowers was severely beaten and hospitalized following his interview with us. He was provided with 24x7 security and his family was provided with financial support.

18. We coordinated with individual voters to commence legal action. Mr. Bopp led our legal efforts to file lawsuits in order to compel the delivery of voting information for our analysis to determine how many illegal and improper votes were being counted in the elections in the battleground states. However we were forced to dismiss those cases because they did not prove effective at getting the necessary information and we were able to get it through other means. All of these activities were being accomplished by The Bopp Law Firms' legal teams; OpSec's data, investigation, and development teams; along with our team of people and those whom we hired—everyone working 20 hour days and stretching in every way feasible.

19. Early on November 13, 2020, we learned from Mr. Crawford that we were to receive an additional \$500,000 from Mr. Eshelman. I had not talked to Mr. Eshelman about this so I can only assume that these funds were sent as the result of a call I had with Mr. Crawford, when I commented that we were going to be spending hundreds of thousands of dollars on data. I told him that the data requirements were needed to support the very active legal efforts led by Mr. Bopp in Pennsylvania, Michigan, Wisconsin and Georgia. The money arrived later in the day. Like the first contribution, no one told me that this gift was conditional in any way, was subject to control or direction by Mr. Eshelman, or was subject to retrieval if it was not spent in a manner satisfactory to Mr. Eshelman.

20. Later that same day, November 13th, I received an invoice from “Old Town Digital Agency” (“Old Town”) for \$1,000,000. The invoice had a single line reflecting what the million dollars was to pay for: “Digital Media Creation and Distribution, Communication Team and Support Staff, Strategic Consulting Partners.” I was shocked to receive this invoice. In fact, I had only heard of Old Town once in passing from Mr.

Crawford as being the media company “they use”. We had no contracts with them, nor had they done any work for us. I learned later that Dikran Yacoubian worked for Old Town. I am not certain of Tom Crawford’s relationship to Old Town, but he had previously been described by Mr. Yacoubian as his partner. I can attest that Mr. Yacoubian began contacting me within hours of Old Town sending the invoice, asking when I could wire the money so that he could “let Tom know”. I was not aware of anything that either of these men had done to further our goals, other than of course making the introduction to Mr. Eshelman. I did not know of any digital media creation or distribution, and I had no idea who or what the communication team and support staff for strategic consulting partners was all about, and how or why True the Vote would ever pay this group a million dollars. I later learned that this company, Old Town Digital Agency, was essentially a shell company, which was not registered in the state of Virginia where we were to send the money, and found it strange that a company specializing in digital media did not have so much as a web site.

21. Having learned that the invoice was sent by the same people who had introduced Mr. Eshelman to us, and who had been our go between for giving Mr. Eshelman updates on what successes we were enjoying in our efforts, I knew I should call Mr. Eshelman to explain this perplexing situation about the Old Town invoice. I explained in the call the invoice and simultaneously explained I was aware of no work or value from this group to merit any payment. He agreed that we should not “just pay” the invoice. He said that he would talk to Mr. Crawford about it.

22. After my conversation with Mr. Eshelman, I received a call from Mr. Crawford where he angrily asked me why I was calling Mr. Eshelman to question their invoice. After

that, all communications with Mr. Crawford were strained. I know that he was criticizing our activities to Mr. Eshelman, even though he did little to nothing to contribute to our efforts. By November 15, 2020, I received an email from Mr. Eshelman which implied that he had been told that I was withholding both data and whistleblower information from not only Mr. Crawford and himself, but also from my lawyer Jim Bopp and Senator Lindsay Graham. This suggestion was just flat wrong and unfounded. Yet, he asked that I turn over information to Mr. Crawford so that he could handle media communication relating to it. Having lost confidence and any trust in Mr. Crawford, I knew that I would be foolish to hand over communication and media responsibilities to him, particularly with the need to keep much of our gathered information confidential, protecting witnesses and using the information at the right time for its most effective use.

23. Mr. Eshelman asked for an update about all of the progress that we were making, and we accommodated him on November 16, 2020, in the afternoon. During that call, we explained much of the great progress made in a short period of time with regard to the ongoing whistleblower investigations and getting other data together for our continued research efforts, but also explained the decision of Mr. Bopp to dismiss the lawsuits that he had filed. Mr. Eshelman was infuriated, literally cursed me and hung up the phone. Thereafter, he demanded a return of the “balance” of his contributions. This lawsuit followed.

24. We have also done extensive election integrity work related to the Georgia runoff election. We helped voter challenges of over 364,000 people in Georgia whose current residence made them potentially ineligible to vote in the runoff election—tens of thousands of which we know voted in the November election. We are now in the process of



evaluating if these people voted in the Georgia Senate runoffs. In the meantime, we have been sued by, and have countersued, a progressive group in Georgia for our election integrity efforts in Georgia known as “Fair Fight”, the Stacy Abrams group. Our counter claims fight back against Fair Fights’ efforts to deny citizens’ the right to petition their government, preserve free speech, and ensure election integrity.

25. I have now been told that Mr. Eshelman now claims that the conditions he imposed on his gift did not include doing election integrity work related to the Georgia runoff election. I was never informed by Mr. Eshelman of such a condition, orally or in writing, and believe that that work is well within the goals and purposes of TTV and its Validate the Vote project.

26. The true irony of this lawsuit is that True the Vote did everything that it could and sought to achieve all of the goals mentioned in the first conversation with Mr. Eshelman. We established the “reward fund” that he wanted and continued our hotline to gather whistleblower testimony. As a result, our efforts have led to indictments of people in Arizona, and others are in the works. We obtained publicity so as to alert the public about many of the irregularities in the voting process. We have helped state legislatures with information and advice, as well as data and testimonies to help them do their duties relative to the voting issues before them. We continue to gather and analyze data to identify patterns of election subversion. We filed lawsuits to help the process along the way. It is unfortunate that we did not have sufficient time to better identify the voting irregularities to protect our elections in 2020. However, our work continues, stronger than ever, in 2021.

27. The donation received from Mr. Eshelman went into our regular bank account, along with all other donations. We have a donor base of over 7500 people, over the

years. Some of our contributors have given as little as two dollars. The money that Mr. Eshelman contributed was not in any way separated from the regular account because there was no request for that, and from my perspective no need to segregate those funds. If we were forced to either return the contribution or temporarily freeze our account, we would be forced to cease all operations, disappointing all of the various supporters of our organization.

28. Submitted with my Declaration are Exhibits 1 through 7. I can vouch for the fact that most of the pages in these Exhibits were provided Mr. Eshelman's attorneys as a result of a discovery request by my lawyer and are identified by Bates numbers Eshelman 00001-00260. I can also vouch for the authenticity of all of the other pages in the Exhibits as communications I received, or web pages that were accurately copied.

I affirm under penalty of perjury that the foregoing is true and correct. Executed on this 21<sup>st</sup>  
day of January, 2021.



Catherine Engelbrecht

**Decl. of Catherine Engelbrecht**

**Exhibit 1**  
**to**  
**Declaration of Defendant Catherine Engelbrecht**  
**“Eshelman’s Responses to True the Vote, Inc.’s Expedited**  
**Discovery”**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

FREDRIC N. ESHELMAN,

*Plaintiff,*

v.

TRUE THE VOTE, INC., CATHERINE  
ENGELBRECHT, GREGG PHILLIPS, OPSEC  
GROUP, LLC, JAMES BOPP, JR., AND THE  
BOPP LAW FIRM,

*Defendants.*

Case No. 4:20-cv-04034

**JURY DEMANDED**

**PLAINTIFF'S RESPONSES TO TRUE THE VOTE, INC.'S  
EXPEDITED DISCOVERY**

TO: True the Vote, Inc., by and through its attorney of record, Brock Akers, The Akers Firm PLLC, 3401 Allen Parkway, Suite 101, Houston, TX 77019

Plaintiff, Frederic N. Eshelman, responds to Defendant True the Vote, Inc.'s

Expedited Discovery as shown on the following pages.

Respectfully,

/s/ Douglas A. Daniels

Douglas A. Daniels

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### **CERTIFICATE OF SERVICE**

I hereby certify that on the 7<sup>th</sup> day of January 2021, a true and correct copy of the above foregoing document has been forwarded to all counsel of record via email:

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/s/ Douglas A. Daniels  
Douglas A. Daniels

## **Plaintiff's Responses and Objections to Defendant's Expedited Interrogatories**

### **Interrogatory No. 1**

Explain the basis for Plaintiff's allegation that the Eshelman Donations were given to True the Vote, Inc. as a "conditional gift", when, how and to whom the conditional nature of the "conditional gift" was expressed and established by Plaintiff?

### **Response:**

Plaintiff objects to Interrogatory No. 1 to the extent it contains a compound question including three distinct subparts. Plaintiff will respond to the interrogatory, but will treat it as three separate interrogatories for purposes of any limitations on the number of interrogatories set forth at Fed. R. Civ. P 33(a)(1) or in any other discovery order entered by the Court.

Without waiver to those objections, Plaintiff states as follows: Plaintiff gave two separate conditional gifts to Defendant True the Vote, Inc. On November 5, 2020, Plaintiff conditionally gave Defendant True the Vote an initial gift of \$2 million by wire transfer to True the Vote's Wells Fargo bank account. Mr. Eshelman gave his initial gift of \$2 million on the condition that it would be used to support the Defendants' so-called "Validate the Vote 2020" efforts. Specifically, Defendant Engelbrecht explained to Plaintiff that she, Defendant Phillips, Defendant Bopp, and Defendant True the Vote had developed a multi-pronged plan (referred to as Defendant True the Vote's Validate the Vote 2020 initiative) to investigate, litigate, and expose suspected illegal balloting and fraud in the 2020 general



election. As part of their Validate the Vote 2020 plan, Defendant Engelbrecht explained to Plaintiff that Defendants intended to: (1) solicit whistleblower testimonies from those impacted by or involved in election fraud; (2) build public momentum through broad publicity of those whistleblowers' stories; (3) galvanize Republican legislative support for voter fraud challenges in key states; (4) aggregate and analyze data to identify patterns of election subversion; and (5) file lawsuits in federal court with capacity to be heard by the Supreme Court of the United States. Those efforts were described in detail in marketing materials prepared by Defendant True the Vote. *See* Amended Compl. and Ex. 1 attached thereto. Those materials also listed Defendants Engelbrecht, Phillips, Bopp, OPSEC, and the Bopp Law Firm as partners in the effort. *Id.* In reliance upon Defendant Engelbrecht's representations on November 4 and November 5 regarding Defendants' comprehensive plans to investigate, litigate, and publicize illegal balloting and other election fraud in connection with the 2020 general election, Plaintiff expressed to Defendant Engelbrecht that he would give \$2 million to Defendant True the Vote on the condition that those funds would be used specifically to support the initial stages of the Validate the Vote 2020 efforts. Of the \$2 million, Plaintiff further expressed to Ms. Engelbrecht that \$1 million was to be used specifically to fund efforts to communicate Defendants' findings via the contemplated litigation. The conditional gift was agreed to between Plaintiff and Defendant Engelbrecht via telephone calls occurring on November 4 and November 5, 2020.

Plaintiff gave a second conditional gift of \$500,000 to Defendant True the Vote on November 10, 2020. Like the first, the gift was made by wire transfer to True the Vote's

Wells Fargo bank account. Plaintiff agreed to make this gift on the express condition that it would be used to fund legal expenses related to the Validate the Vote 2020 initiative in excess of the amounts indicated on the initial budget Plaintiff had discussed with Defendants Engelbrecht and Bopp (and reflected on Defendant True the Vote's marketing materials). Plaintiff made that second conditional gift at Defendant Engelbrecht's express request for additional funds for the specific purpose of covering legal expenses incurred in connection with Defendants' efforts to investigate, litigate, and publicize illegal balloting and other election fraud in connection with the 2020 general election. The conditional gift was agreed to between Plaintiff and Defendant Engelbrecht via teleconference on November 13, 2020.

### **Interrogatory No. 2**

What are the precise terms and conditions of Plaintiff's "conditional gift," as alleged in Plaintiff's answer to Interrogatory No. 1?

### **Response:**

As set forth above, Plaintiff's conditional gifts totaling \$2.5 million were conditioned on Defendant True the Vote's agreement to use those funds to support Defendants' Validate the Vote 2020 efforts to investigate, litigate, and publicize illegal balloting and other election fraud in connection with the 2020 general election. Specifically, those efforts were laid out in detail in solicitation materials prepared by Defendant True the Vote and circulated by Defendant Engelbrecht. *See* Amended Compl. and Ex. 1 attached thereto. Both Plaintiff and Defendant Engelbrecht (on behalf of

Defendant True the Vote) understood that use of the conditionally gifted funds for other purposes would amount to a breach of the conditions Plaintiff placed upon his gifts and would entitle Plaintiff to a full refund of any funds not already used for the agreed-upon activities.

**Interrogatory No. 3**

When, how, and to whom did TTV allegedly communicate its understanding of and assent to the precise terms and conditions of the “conditional gift,” as alleged in Plaintiff’s answer to Interrogatory Nos. 2 and 3?

**Response:**

Plaintiff objects to Interrogatory No. 3 to the extent it is illogical as written. For purposes of this response, Plaintiff assumes Defendant True the Vote intended the interrogatory to read “When, how, and to whom did TTV allegedly communicate its understanding of and assent to the precise terms and conditions of the ‘conditional gift,’ as alleged in Plaintiff’s answer to Interrogatory Nos. [1] and [2].” Plaintiff further objects to Interrogatory No. 3 to the extent it contains a compound question including three distinct subparts. Plaintiff will respond to Interrogatory No. 3, but will treat it as three separate interrogatories for purposes of any limitations on the number of interrogatories set forth at Fed. R. Civ. P 33(a)(1) or in any other discovery order entered by the Court.

Without waiver to those objections, Plaintiff states as follows: As set forth in his response to Interrogatory No. 1, Plaintiff communicated the conditions upon his gifts

totaling \$2.5 million explicitly during telephone conversations with Defendant Engelbrecht (on behalf of Defendant True the Vote) on November 4, 5, and 13, 2020. Ms. Engelbrecht affirmatively acknowledged those conversations and her understanding that Plaintiff's gifts totaling \$2.5 million were to be used expressly for the purposes of Defendants' efforts to investigate, litigate, and publicize illegal balloting and other election fraud in connection with the 2020 general election. For example, Defendant Engelbrecht assured Plaintiff's counsel that True the Vote had "spent the money on the project *we* discussed with Mr. Eshelman" (emphasis added). *See* Amended Compl. and Ex. 5 attached thereto.

**Plaintiff's Responses and Objections to Defendant's Expedited Request for  
Production of Documents**

**Request No. 1**

Produce any and all documents that support or relate to Interrogatory Nos. 1-3, including emails, text messages, voice or video recordings, and any other written or electronic communications related to any of the interrogatories.

**Response:**

Plaintiff objects to this document request as overbroad, unduly burdensome, vague, and ambiguous to the extent that it seeks “any and all documents” and relies on the phrase “related to,” which is not defined. Without waiving the foregoing objections, Plaintiff states that his responses to Interrogatories 1-3 are supported by the verified pleadings and attached exhibits already filed and served upon Defendant True the Vote in this matter. In addition to those materials, Plaintiff hereby produces documents enclosed with this response. By producing these documents, Plaintiff does not concede the relevance, materiality, or admissibility of the produced materials.

### VERIFICATION

I, Fredric Eshelman, verify under penalty of perjury that, to the best of my knowledge and recollection, the responses to the interrogatories are true and correct.

Executed on this January 7, 2021

  
Fredric N. Eshelman

**Exhibit 2**  
**to**  
**Declaration of Defendant Catherine Engelbrecht**  
**“Eshelman’s Gift to TTV’s Whistleblower Project”**

[DONATE](#)

## OUR SOLUTION

# EMPOWER AND EQUIP CITIZENS TO ENSURE THAT OUR ELECTION PROCESS IS PROTECTED FROM FRAUD AND EXPLOITATION

### About Us:

True the Vote is the country's largest voters' rights organization and well known for our ability to lead unified national plans to protect election integrity. Since our founding in 2009, we have been on the front lines of election fraud prevention by building action-oriented election integrity movements in key states, counties, and precincts.

### Our Mission:

Empower and equip citizens to ensure that our election process is protected from fraud and exploitation. We are proud to serve as a network hub, working together with other organizations to implement targeted election integrity initiatives to expose and deter election fraud. Activities include:

- **Team Building:** Helping volunteers connect with the tools they need to engage in election work.
- **Training & Mobilization:** Training a broad base of volunteers to work in elections, research, and support positions across the electoral process.
- **Reporting & Response:** Acting as a watchdog and building a rapid response network for communication and action.

^





DONATE

Press Releases

# TRUE THE VOTE ENCOURAGES CITIZENS TO USE NATIONAL ELECTION INTEGRITY HOTLINE AFTER PROJECT VERITAS VIDEOS EXPOSE ORGANIZED VOTER FRAUD SCHEME IN TEXAS

By True the Vote    October 28, 2020

True the Vote Encourages Citizens to Use National Election Integrity Hotline After Project Veritas Videos Expose Organized Voter Fraud Scheme in Texas

HOUSTON, Texas – Yesterday, Project Veritas released the results of a hidden camera investigation exposing massive election fraud in Bexar County, Texas. Texas Attorney

**Exhibit 2, page 2**

General Ken Paxton announced that the organized election fraud scheme uncovered in the **Project Veritas video** is already under review by investigators from his Election Fraud Unit. Today, Project Veritas released a **second video** revealing more illegal activity as an individual reveals she is part of a group of undercover ballot chasers selling votes to elect Democrat presidential candidate Joe Biden. The video shows Raquel Rodriguez asking for “\$55,000 for 5,000 votes.”

“The videos released by Project Veritas are upsetting and unacceptable and I am glad the Attorney General wasted no time in taking action to investigate the matter,” said True the Vote Founder and President Catherine Engelbrecht. “It should serve as a reminder to all voters that there are indeed manipulative forces at play in this election, and I urge everyone to remain alert to any questionable activity surrounding our voting system.

“True the Vote encourages citizens who encounter anyone attempting to illegally collect ballots of non-family members, urging others to fill out a ballot a certain way, or selling votes, to immediately report it to our Election Integrity Hotline,” Engelbrecht continued. “True the Vote volunteers are working around the clock nationwide to prevent election fraud and hold perpetrators accountable. We are committed to ensuring a free and fair election for every voter, no matter their party or political ideology.”

True the Vote offers a 24/7, bilingual **Election Integrity Hotline** which citizens can reach at 855-702-0702 or through the website to report incidents of election fraud or manipulation nationwide.

# # #

*True the Vote (TTV) is an IRS-designated 501(c)3 voters’ rights organization, founded to inspire and equip volunteers for involvement at every stage of our electoral process. TTV empowers organizations and individuals across the nation to actively protect the rights of legitimate voters, regardless of their political party affiliation. For more*

[DONATE](#)

# ELECTION INTEGRITY HOTLINE

REPORT POTENTIAL FRAUD OR MANIPULATION



**855-702-0702**  
**ELECTION INTEGRITY HOTLINE**

We must all take part in ensuring the 2020 election returns reflect the principle of "One vote for one voter."

If you've witnessed election fraud, manipulation or illegal action taking place, let us know by filling out this report or calling our hotline at 855-702-0702.

**First Name \***

**Last Name \***

**Email \***

**Phone \***

**Address \***

**Address Line 2**

**County \***

**City \***

**State \***

Alabama

---

**Zip Code \***

**Please describe the incident here \***

## Document Upload

Drop files here or

**SELECT FILES**

TIF, JPG, GIF, PNG, PDF only allowed.

By submitting your contact information, you may receive occasional digital or SMS communications from True the Vote.

**SUBMIT**

You can also contact us at

[report@truethevote.org](mailto:report@truethevote.org)

**Exhibit 2, page 6**

**From:** Fred Eshelman  
**To:** Sabrina R. Tour  
**Subject:** FW: counting  
**Date:** Wednesday, January 6, 2021 12:24:10 PM

CAUTION: EXTERNAL EMAIL

**From:** Fred Eshelman  
**Sent:** Thursday, November 5, 2020 9:45 AM  
**To:** 'Tom Crawford' <tomcrawforddc@gmail.com>  
**Subject:** RE: counting

This stuff really needs to be verified, quantified, and a massive information campaign launched at American people. You want a revolt from the Silent Majority, you got it. Apparently Trump was right some while back about accepting the purported results from this election. I assume that he has no intent to concede until all of this is finally and irrevocably sorted out. Needs to get the best and most powerful PR firm cranked up now, and figure out how to get it out in spite of the media. FOX seems culpable now as well. Deserting their base would be suicide.

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Thursday, November 5, 2020 9:37 AM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Re: counting

Also Trump are suing in NV over at least 10k votes from people who no longer live in NV. ATL getting scarier and scarier since they still won't tell how many ballots there are. And they aren't segregating the new ones as instructed. Chaos, talking to some big Independent Expenditure guys now about reward program.

[https://twitter.com/peoples\\_pundit/status/1324337684471533569?s=10](https://twitter.com/peoples_pundit/status/1324337684471533569?s=10) Sent from my iPhone

<https://m.youtube.com/watch?fbclid=IwAR0QfnMHX952LLINrxnRG7g2a7MubT4L4jb9klefC78xw1fAzWC9VPdkt4c&feature=share&v=7hthIV0cEK0#menu>

On Nov 5, 2020, at 8:36 AM, Fred Eshelman <fred@eshelmanventures.com> wrote:

Republicans need to reach into their own pockets to the extent that I have and that will

get my attention. Also want to see what happens with reward program before making a decision. Not saying no, but it's beyond the time that people put their money where their mouths are.

**From:** Tom Crawford <tomcrawforddc@gmail.com>

**Sent:** Thursday, November 5, 2020 8:26 AM

**To:** Fred Eshelman <fred@eshelmanventures.com>

**Subject:** Re: counting

Don't shoot me...Republicans now reaching out to ask if we will play in GA senate run-off. What we did with LPVs in NC, MI, WI, NV is getting a ton of attention and seen as having saved NC (and may deliver a margin in NV) and increased turnout in each state we played in with the rare cohort of fresh votes. It looks like we could have two races (Perdue at 50 even with two percent out and Loeffler in second place with just under 30 percent so for sure with her). We need them both to have the Senate 51-49. I am fairly sure I can get significant additional supporters. This works always starts with matching, but I think I could turn \$1 million into at least \$10 million and potentially more as we demonstrate our results. Might be a good opportunity to teach these idiots to play smarter. We have to win these and I hate to raise it but that's where we sit. Again, knowing you are locked and loaded don't shoot me!

Sent from my iPhone

On Nov 5, 2020, at 7:44 AM, Fred Eshelman  
<fred@eshelmanventures.com> wrote:

Don't drag too long—evidence has a way of disappearing and people get threatened. Don't forget fraud reward.....

**From:** Tom Crawford <tomcrawforddc@gmail.com>

**Sent:** Thursday, November 5, 2020 7:43 AM

**To:** Fred Eshelman <fred@eshelmanventures.com>

**Subject:** Re: counting

Trump Campaign assembling an impressive array of cheating/fraud issues. This could drag on for a long time.

Sent from my iPhone

**From:** [Fred Eshelman](#)  
**To:** [Sabrina R. Tour](#)  
**Subject:** FW: True the Vote  
**Date:** Wednesday, January 6, 2021 12:25:19 PM

---

CAUTION: EXTERNAL EMAIL

-----Original Message-----

From: Fred Eshelman  
Sent: Thursday, November 5, 2020 11:17 AM  
To: 'Tom Crawford' <tomcrawforddc@gmail.com>  
Subject: RE: True the Vote

yes

-----Original Message-----

From: Tom Crawford <tomcrawforddc@gmail.com>  
Sent: Thursday, November 5, 2020 11:12 AM  
To: Fred Eshelman <fred@eshelmanventures.com>  
Subject: True the Vote

Can you get on phone with head of true the vote now. Speaking to them and want to pull the trigger.

Sent from my iPhone



## Fred Eshelman

**From:** Fred Eshelman  
**Sent:** Thursday, November 5, 2020 12:19 PM  
**To:** Tom Crawford (tomcrawforddc@gmail.com)  
**Subject:** \$

Need wiring instructions asap. You know how it is working with banks.

## Nan Howard

---

**From:** Paar, Karen <karen.paar@bofa.com>  
**Sent:** Thursday, November 5, 2020 2:31 PM  
**To:** Nan Howard; Payton, Megan F  
**Cc:** Fred Eshelman; Tom Crawford  
**Subject:** RE: TTV Funding Channels.pdf

Hi Nan,

The requested wire has been sent. The ref# [REDACTED]

Please let me know if you have any questions.

Hope you have a great afternoon.

Karen

\*\*\*\*\*Please note that my email address has changed to [karen.paar@bofa.com](mailto:karen.paar@bofa.com) \*\*\*\*\*

Karen L. Paar  
Assistant Vice President  
Business Support Lead  
Private Bank  
NMLS ID# 526497

**BANK OF AMERICA PRIVATE BANK**  
NC1-030-30-01, 620 South Tryon Street, Charlotte, NC 28255  
T 980.683.9034 F 800.976.0903  
[karen.paar@bofa.com](mailto:karen.paar@bofa.com)

**BANK OF AMERICA** 

**From:** Nan Howard [mailto:[nan@eshelmanventures.com](mailto:nan@eshelmanventures.com)]  
**Sent:** Thursday, November 5, 2020 1:11 PM  
**To:** Paar, Karen <karen.paar@bofa.com>; Payton, Megan F <megan.f.payton@bofa.com>  
**Cc:** Fred Eshelman <[fred@eshelmanventures.com](mailto:fred@eshelmanventures.com)>; Tom Crawford <[tomcrawforddc@gmail.com](mailto:tomcrawforddc@gmail.com)>  
**Subject:** Fwd: TTV Funding Channels.pdf

Karen,

Below find the wiring instructions for the wire we discussed earlier. Please wire \$2,000,000.00 from Fred's account ending in [REDACTED]

Please call me to confirm.

Thank you,

**Exhibit 3**  
**to**  
**Declaration of Defendant Catherine Engelbrecht**  
**“TTV’s Validate the Vote Plan”**

**From:** [Fred Eshelman](#)  
**To:** [Sabrina R. Tour](#)  
**Subject:** FW: \$  
**Date:** Wednesday, January 6, 2021 12:25:57 PM

---

CAUTION: EXTERNAL EMAIL

**From:** Fred Eshelman  
**Sent:** Thursday, November 5, 2020 1:19 PM  
**To:** Tom Crawford (tomcrawforddc@gmail.com) <tomcrawforddc@gmail.com>  
**Subject:** \$

Reached out to a friend in upstate NY (former senior military guy) who reached out to some of his contacts with real money. I need something in writing describing what we're doing, who is involved, end game etc as well as the ask.

He also knows folks offshore who love the US etc, but I said that MIGHT BE TRICKY, ie inferred interference in US election. What do you think? Anyway, quicker you can send me stuff, the quicker I can get money. Time flying.

iMessage with +1 (202) 549-2315  
11/5/20, 10:28 AM

We can't hear you!

Tom what is the name of the the digital firm we're going through?

Old Town Digital Agency. This is the group we use. We have spent heavily building their targeting and data models. They are the best.

All good, just checking to see who knows who.

No worries. I am Fred's rep.

Please let me know when you can get on a call to discuss.

Will do. Back to you shortly. In a series of calls that end soon.

11/5/20, 2:20 PM

Catherine,  
  
Validate the Vote  
  
Let me know what you think.  
  
Thanks,  
  
Tom

I love it

We have grabbed [validatethevote2020.com](https://www.validate-the-vote.com) and will register the others soon. Ready to roll

Great!

11/5/20, 4:50 PM

Any update on the one pager? Thx. Media all over the fraud discussion. Big window open here.

**Jacobs, Ronald M.**

---

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Saturday, November 21, 2020 12:01 PM  
**To:** Jacobs, Ronald M.  
**Cc:** Dikran Yacoubian  
**Subject:** Fwd: Validate the Vote 2020  
**Attachments:** Validate the Vote 2020.pdf; ATT00001.htm; TTV Funding Channels.pdf; ATT00002.htm

**Caution: External Email**

Ron,

Here is the first of the email exchanges with Catherine. I will let you know when I send the last one. There are not many.

Best,

Tom

Sent from my iPhone

Begin forwarded message:

**From:** Catherine Engelbrecht <catherine@truethevote.org>  
**Date:** November 5, 2020 at 4:59:33 PM CST  
**To:** tomcrawforddc@gmail.com  
**Subject:** Fwd: Validate the Vote 2020

Hi Tom -

Sorry to have left you off the first round. Fingers moving too fast.

----- Forwarded message -----

From: **Catherine Engelbrecht** <[catherine@truethevote.org](mailto:catherine@truethevote.org)>  
Date: Thu, Nov 5, 2020 at 4:58 PM  
Subject: Validate the Vote 2020  
To: <[Dikran@storylift.com](mailto:Dikran@storylift.com)>

Please see attached overview of plan. True the Vote funding information is also attached.

OpSec funding instructions:  
OPSEC Group  
PO Box 548  
PMB 70267  
Birmingham, Alabama 35201-0548

EIN: [85-3041266](#)

BBVA Wire:  
Routing: XXXXXXXXXX [1186](#)

## Validate the Vote 2020



### Goal

To ensure the 2020 election returns reflect one vote cast by one eligible voter and thereby protect the right to vote and the integrity of the election.

### Problem

There is significant evidence that there are numerous instances of illegal ballots being cast and counted in the 2020 general election. Most of these illegal votes are being counted in Democrat counties and are suppressing legitimate results.

This is a result of Democrat officials refusal to obey state election laws and counting illegal votes. It is also the result of deliberate election fraud. This situation has been aided by the Democrat's deliberate effort to radically expand mail-in balloting, creating myriad opportunities for voter fraud that does not exist with in-person voting.

Furthermore, this flood of illegal votes violates the U.S. Constitution's right to vote by diluting the votes of legitimate voters.

### Plan

- Solicit whistleblower testimonies from those impacted by or involved in election fraud - True the Vote
- Build public momentum through broad publicity - True the Vote
- Galvanize Republican legislative support in key states - True the Vote
- Aggregate and analyze data to identify patterns of election subversion - OPSEC Group
- File lawsuits in Federal Court with capacity to be heard by SCOTUS - True the Vote

Tactical Organizing: National, State, with micro-targeting in key counties

Key States: Arizona, Nevada, Georgia, North Carolina, Pennsylvania, Michigan, Wisconsin

### Legal Strategy

Jim Bopp, True the Vote General Counsel, lead attorney in Bush v. Gore and Citizens United, will file federal suits in the seven closest battleground states to investigate voter fraud, expose it, and to nullify the results of the state's election, so that the Presidential Electors can be selected in a special election or by the state legislature.

Step 1: A federal civil rights lawsuit will be filed in each targeted state. This will provide the vehicle to serve subpoenas on state election officials to produce critical election data.

Step 2: Along with publicly available data, the produced election data will be analyzed to identify both illegal voters and illegal votes.

Step 3: If sufficient election fraud is proven, making the results of the election doubtful, the lawsuit will seek to have the state's election results overturned, leading to a special election, to selection of Presidential Elector by the state legislature, or to the selection the President by the U.S. House of Representatives.

### TEAM

#### True the Vote

Catherine Engelbrecht  
*President*

#### Legal

Jim Bopp  
*True the Vote General Counsel*

#### Public Affairs

David Polyansky  
*Principal*  
Catherine Frazier  
*Principal*

#### Data and Research

OPSEC Group  
Gregg Phillips  
*President*

#### Funding Estimate

Whistleblower Campaign  
\$2,000,000

Data and Research  
\$1,750,00

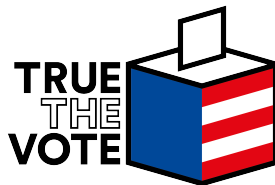
Litigation  
District Courts \$2,500,00  
Appeals \$375,000  
US Supreme Court  
\$700,000

**Total Effort**  
**\$7,325,000**

#### Funding Vehicles

True the Vote  
Non-Profit 501c3

OPSEC Group  
Limited Liability Corp.



True the Vote is a nonpartisan organization recognized under section 501(c)3 of the Internal Revenue Code, Federal Tax ID #27-2860095. Contributions or gifts to the True the Vote are tax-deductible as charitable contributions for federal income tax purposes to the fullest extent permitted by law. Donors do not receive any goods or services in exchange for any part of their contributions..

Donations to True the Vote may be made in a variety of forms:

Physical Delivery: True the Vote  
PO Box 3109 #19128, Houston, TX 77253-3109

Wire Transfer: Wells Fargo Bank NA 420 Montgomery St  
San Francisco CA 94104  
ABA# [REDACTED] 0248  
FBO True the Vote Account # [REDACTED] 7214

Online/Credit Card: [www.truethetvote.org](http://www.truethetvote.org)

Stock transfer: Fidelity Investments  
FBO True the Vote  
Account # [REDACTED] 5121  
Routing # [REDACTED] 5681

For more information, please contact:

Catherine Engelbrecht [catherine@truethetvote.org](mailto:catherine@truethetvote.org) | 832.444.7701



From: **Catherine Engelbrecht** <[catherine@truethevote.org](mailto:catherine@truethevote.org)>  
Date: Thu, Nov 5, 2020 at 8:52 AM  
Subject: Re: voter fraud and a legal challenge  
To: James Bopp Jr <[jboppjr@aol.com](mailto:jboppjr@aol.com)>  
CC: <[cathopengelbrecht@gmail.com](mailto:cathopengelbrecht@gmail.com)>

I just saw this. I am on a call right now and will try to end quickly then call you.

I am all in. Will call ASAP.

On Thu, Nov 5, 2020 at 6:36 AM James Bopp Jr <[jboppjr@aol.com](mailto:jboppjr@aol.com)> wrote:

Call me asap. I have been contacted by a friend with access to substantial funding regarding an idea about law suits re voter fraud. You might be central to that. I would like to discuss. Jim

--

Catherine Engelbrecht  
Founder, True the Vote

---

**From:** James Bopp Jr <jboppjr@aol.com>  
**Sent:** Thursday, November 5, 2020 3:37 PM  
**To:** Karl Gallant <kgallant@aduston.com>  
**Cc:** [catherine@truethevote.org](mailto:catherine@truethevote.org)  
**Subject:** TTV One Voter One Vote Litigation Project

## **True the Vote One Voter One Vote Litigation Project**

### **Goal**

To ensure that the 2020 election returns reflect one vote cast by one eligible voter and thereby protect the right to vote and the integrity of the election.

### **Problem**

There is significant evidence that there are numerous instances of illegal ballots being cast and counted in the 2020 general election. Most of these illegal votes are being counted in Democrat counties and are overturning the legitimate results of the election.

This is a result of Democrat officials refusing to obey state election laws and counting illegal votes. It is also the result of deliberate voter fraud. This situation has been aided by the Democrat's deliberate effort to radically expand mail in balloting, creating numerous opportunities for voter fraud that does not exist with in person voting.

Furthermore, this flood of illegal votes violates the U.S. Constitution's right to vote by diluting the votes of legitimate voters with illegal votes.

### **Plan**

The Plan is to bring federal law suit in the seven closest battleground states to investigate voter fraud, expose it, and to nullify the results of the state's election, so that the Presidential Electors can be selected in a special election or by the state legislature.

Plan step 1: A federal civil rights lawsuit will be filed in each targeted state. This will provide the vehicle to serve subpoena's on state election officials to produce critical election data, such as the poll list.

Plan Step 2: Along with publicly available data, the produced election data will be analyzed by True the Vote's groundbreaking computer programs that have the capacity to identify both illegal voters and illegal votes.

Plan Step 3: If substantial election fraud is proven that makes the results of the election doubtful, the law suit will seek to have the state's election results overturned, leading to a special election, to selection of Presidential Elector by the state legislature, or to the selection of the President by the U.S. House of Representatives.

## Budget

The Plan anticipates seven lawsuits in seven battleground states.

Discovery of critical election data and Analysis of seven state's election results.

|                     |             |
|---------------------|-------------|
| \$250,000 per state | \$1,750,000 |
|---------------------|-------------|

Litigation expense in five states

|                                    |             |
|------------------------------------|-------------|
| District Court, \$500,000 per case | \$2,500,000 |
|------------------------------------|-------------|

|                                     |           |
|-------------------------------------|-----------|
| Court of Appeals, \$75,000 per case | \$375,000 |
|-------------------------------------|-----------|

|   |           |
|---|-----------|
| U.S. Supreme Court appeals, two at \$350,000 per case | \$700,000 |
|---|-----------|

|              |             |
|--------------|-------------|
| Total Budget | \$5,325,000 |
|--------------|-------------|

## Funding Vehicle

The James Madison Center for Free Speech is the funding vehicle for the project. The Madison Center is a 501(c)(3) non profit organization, jamesmadisoncenter.org. Contributions to the Madison Center are confidential and tax deductible. 100% of the donor's earmarked contributions will be used to pay the investigation, evaluation and litigation expenses for the Project. Donors should earmark their contributions to the TTV One Voter One Vote Litigation Project.

## Wire transfer information

### Funds should be wired to:

JP Morgan Chase, N.A.

111 Monument Circle, Suite 8401

Indianapolis, IN 46277

ABA # [REDACTED] 002 1

## Swift Code (International only)

[REDACTED] US33

Confidential

Exhibit 3, page 8

**To benefit:**

Terre Haute Savings Bank

Account # [REDACTED] 6700

**For final credit to:**

James Madison Center for Free Speech

Account # [REDACTED] 4752

**\*\*\* Please emphasize that both the “benefit THSB” step including our correspondent account number and the “for final credit to” step listing our THSB customer’s name and account number must be completed otherwise the wire will reach JP Morgan Chase and they will not recognize our customer’s name and account number on their system and the wire will be returned.**

**James Bopp, Jr.**

General Counsel

True the Vote, Inc.

Attorney

The Bopp Law Firm, PC | [www.bopplaw.com](http://www.bopplaw.com)

The National Building | 1 South 6th Street | Terre Haute, IN 47807

voice: (812) 232-2434 ext. 22 | fax: (812) 235-3685 | cell: (812) 243-0825 |  
[jboppjr@aol.com](mailto:jboppjr@aol.com)

Sent from [AOL Desktop](#)

**Confidential**

**From:** [Fred Eshelman](#)  
**To:** [Sabrina R. Tour](#)  
**Subject:** FW: Call Friday 8:00 am EST  
**Date:** Wednesday, January 6, 2021 1:02:39 PM

---

CAUTION: EXTERNAL EMAIL

-----Original Message-----

From: Tom Crawford <tomcrawforddc@gmail.com>  
Sent: Thursday, November 5, 2020 10:38 PM  
To: Fred Eshelman <fred@eshelmanventures.com>; Dikran Yacoubian <dymailbox@gmail.com>; Catherine Engelbrecht <catherine@truethevote.org>; gp@opsec.group  
Subject: Call Friday 8:00 am EST

All,

We will convene at 8:00 am EST tomorrow morning to discuss Validate the Vote. Please use the following dial-in:

888.619.1583  
700568#  
Host 7005683#

Thanks,

Tom

Sent from my iPhone

**Fred Eshelman**

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Thursday, November 5, 2020 10:38 PM  
**To:** Fred Eshelman; Dikran Yacoubian; Catherine Engelbrecht; gp@opsec.group  
**Subject:** Call Friday 8:00 am EST

All,

We will convene at 8:00 am EST tomorrow morning to discuss Validate the Vote. Please use the following dial-in:

888.619.1583  
700568#  
Host 7005683#

Thanks,

Tom

Sent from my iPhone

NEVER  
ENDING  
NIGHTMARE

- If call stays on hold  
- Maybe this is not  
- Call back another source

thought  
this was  
safe?

GA  
IS IT OVER  
NOW?

THANKA

SENATE?

LEGIT

XB

SCOPE OF  
the  
REM  
strategy,  
breakthroughs

statistically  
this  
is  
just  
WRONG

only  
Mgd  
states



**TRUE THE VOTE LAUNCHES “VALIDATE THE VOTE”  
INITIATIVE AND WHISTLEBLOWER COMPENSATION FUND  
TO ENSURE ELECTION VALIDITY, PROCESS INTEGRITY**

By True the Vote      November 6, 2020

**HOUSTON, Texas** – True the Vote, the country’s largest voters’ rights organization formed to prevent election fraud, today launched “Validate the Vote,” an initiative to pro **DONATE**  
2020 election returns reflect the principle of “one vote for one voter.” The initiative, led by Catherine Engelbrecht, aims to protect the integrity of our nation’s electoral system and ensure public confidence and acceptance of election outcomes critical to American democracy.

“Unfortunately, there is significant tangible evidence that numerous illegal ballots have been cast and counted in the 2020 general election, potentially enough to sway the legitimate results of the election in some of the currently contested states,” said Englebrecht. “ True the Vote is stepping up to provide the resources needed that will ensure voters, election workers, and volunteers who are observing the extended ballot counting process – and seeing firsthand the illegal actions taking place – have the resources they need to document and report the malfeasance with the confidence that these issues will be pursued by every available legal channel.

As of today, True the Vote’s **Election Integrity Hotline** (855-702-0702) has received thousands of calls reporting alleged incidents of fraud. Additionally, multiple True the Vote election workers working alongside independent election workers across contested states have seen firsthand examples of election officials refusing to obey state election laws and counting votes illegally. These incidents include ballots being counted after deadlines, election workers



1/18/2021

True the Vote Launches "Validate the Vote" Initiative and Whistleblower Compensation Fund to Ensure Election Validity, Process Integrity...

been fueled by efforts to radically expand mail-in voting, which created numerous opportunities for voter fraud that does not exist with in-person voting. In addition, numerous statistical anomalies that must be reconciled to restore confidence in the vote."

The integrity of elections is the core of our Democratic Republic. Regardless of the outcome, the legitimacy of our leaders, the ability to govern, and the preservation of our election system are at stake. Validate the Vote aims to support the constitutional rights of every voter and expose, fight and remedy fraud where it has occurred.

Please call the **Election Integrity Hotline** at 855-702-0702 to report voter fraud or visit **ValidatetheVote.us** for more information, report voter fraud or contribute.

# # #

**True the Vote** (TTV) is an IRS-designated 501(c)3 voters' rights organization, founded to inspire and equip volunteers for involvement at every stage of our electoral process. TTV empowers organizations and individuals across the nation to actively protect the rights of legitimate voters, regardless of their political party affiliation. For more information, please visit **[www.truethetvote.org](http://www.truethetvote.org)**.



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Press Releases

# TRUE THE VOTE RELEASES COMPREHENSIVE RESEARCH ON ILLEGAL ELECTIONEERING AND VOTE HARVESTING IN NEVADA

By True the Vote November 25, 2020

covered some of True the Vote's research, which is featured below and can be read in full [here](#).

[DONATE](#)

"True the Vote continues its in-depth, comprehensive collection of research and data analysis in the wake of the 2020 presidential election where we know that expanded mail-in voting led to widespread election malfeasance and fraud," said True the Vote Founder and President Catherine Engelbrecht. "Nevada is only one of many states that has been plagued by bad actors seeking to illicitly influence voting activities in minority and disenfranchised communities, and illegally gather or even pay for votes. The research released today is only the beginning of what we seek to uncover as we review the results of the 2020 elections and uncover where irregular, unethical, and even illegal actions took place. Every voter in America has the right for their vote to be counted and not diluted by an illegal vote and our mission is to put an end to illegal voting, ensure free, fair, secure elections for our entire country."

Below is coverage from *The Federalist*, featuring comments from Catherine Engelbrecht and elements of True the Vote's research.

## 'Fraud Has Been Institutionalized': Inside Partisan GOTV In Indian Country

### The Federalist

John Daniel Davidson

November 25, 2020

“But it turns out the Nevada Native Vote Project is just one of many supposedly nonpartisan organizations engaged in vote-bribing and illegal electioneering, all under the GOTV campaigns. Similar efforts in as many as a half-dozen other states, including every major battleground state, were undertaken by groups that worked hand in hand with the Joe Biden campaign to deliver votes for Democrats. DONATE

## These GOTV Campaigns Are Openly Partisan

“One of these groups is called Radicalize the Vote, a ‘GOTV campaign, led by indigenous woman, that is building a unique, centralized indigenous registration list to get out the vote in record number during the COVID-10.’ The campaign is a partnership between NCAI-funded Native Vote and an organization called **Seeding Sovereignty**, which describes itself as ‘an Indigenous-led collective,’ that ‘works to radicalize and disrupt colonized spaces through land, body, and food sovereignty work, community building, and cultural preservation.’ Seeding Sovereignty and Radicalize the Vote appear to **share staff**.

“Although claiming to be a nonpartisan group, Radicalize the Vote was remarkably open about its opposition to President Trump, **posting a photo on its official Instagram page** that read: ‘Every Trump sign is a desperate plea for toxic white supremacy to be seen and validated. It should remind you how fragile and threatened colonizers feel knowing their beliefs are dying



...

This Was A Coordinated Effort Nationwide

absentee ballots from voters in tribal areas.



DONATE

“In Arizona, which Trump lost by three-tenths of a percentage point, Secretary of State Kate Hobbs’ office set up **special online voter registration URLs** for select nonprofit groups back in May. The stated goal was to increase voter registration, but the online registrations were heavily promoted by left-wing groups like Native Vote. The special URLs were only given out to a handful of nonpartisan groups, including the Phoenix Indian Center, which in turn **amplified GOTV messaging** from Native Vote on its Facebook page.

...

## This Is A Crisis That Can't Be Ignored

“It’s undeniable that groups like Native Vote and Radicalize the Vote, supported with funding from the NCAI, have had an outsized effect on the presidential election. It’s also undeniable that they were flagrantly violating federal election laws and acting not as nonpartisan organizations just trying to increase voter turnout, but arms of the Biden campaign and the Democratic Party.

“Catherine Engelbrecht, founder of True the Vote, a group that’s been advocating for accountability and transparency in elections for a decade, told me that this sort of illegal

# # #



DONATE



**True the Vote** (TTV) is an IRS-designated 501(c)3 voters' rights organization, founded to inspire and equip volunteers for involvement at every stage of our electoral process. TTV empowers organizations and individuals across the nation to actively protect the rights of legitimate voters, regardless of their political party affiliation. For more information, please visit [www.truethevote.org](http://www.truethevote.org).

## TRUE THE VOTE

PREVIOUS POST

NEXT POST

BREITBART: CATI



Press Releases

# TRUE THE VOTE UPDATE ON LITIGATION AND ONGOING FIGHT FOR ELECTION INTEGRITY

By True the Vote November 17, 2020

## True the Vote Update on Litigation and Ongoing Fight for Election Integrity

HOUSTON, Texas – True the Vote Founder and President Catherine Engelbrecht issued the following statement regarding the “**Validate the Vote**” initiative, dismissal of lawsuits, and ongoing fight for election integrity:

“Yesterday, we made the difficult decision to dismiss our current lawsuits in Georgia, Michigan, Pennsylvania, and Wisconsin. While we stand by the voters’ testimony that was brought forth, barriers to advancing our arguments, coupled with constraints on time, made it necessary for us to pursue a different path. But our fight for election integrity continues. The litigation component of our work is only a fraction of what we are doing to pursue real solutions to vulnerabilities in our election system. We are proud of the work we have done to inform Americans of the massive gaps in election security – and after the chaos that ensued after November 3, there is no denying the real and widespread problems nationwide. Americans are now ‘woke’ about the mess – let’s clean it up together.

“Our mission is much bigger than just one election. It is about repairing the system for all future elections. Our data analysis is ongoing and we’ll continue our own thorough top to bottom investigation in the key battleground states to expose the gaping security lapses in our election system. American voters deserve to know the truth. They deserve to have every legal vote counted, which means exposing the illegal votes and shoring up the system to minimize future illegal votes. We are pressing onward.... Georgia here we come.”

###

*True the Vote (TTV) is an IRS-designated 501(c)3 voters’ rights organization, founded to inspire and equip volunteers for involvement at every stage of our electoral process. TTV empowers organizations and individuals across the nation to actively protect the rights of legitimate voters, regardless of their political party affiliation. For more information, please visit [www.truethevote.org](http://www.truethevote.org).*



**Exhibit 4**  
**to**  
**Declaration of Defendant Catherine Engelbrecht**  
**“Validate the Vote Project Progress and Approval by**  
**Eshelman, and the Second Eshelman Gift”**

**From:** [Fred Eshelman](#)  
**To:** [Sabrina R. Tour](#)  
**Subject:** FW: Trump Strategy  
**Date:** Wednesday, January 6, 2021 12:38:29 PM

---

CAUTION: EXTERNAL EMAIL

-----Original Message-----

From: Fred Eshelman  
Sent: Tuesday, November 10, 2020 7:38 AM  
To: Tom Crawford <tomcrawforddc@gmail.com>  
Subject: RE: Trump Strategy

Let me know how I can help. I have asked Catherine for cash flow projections so we can gauge where we are at all times

-----Original Message-----

From: Tom Crawford <tomcrawforddc@gmail.com>  
Sent: Tuesday, November 10, 2020 7:30 AM  
To: Fred Eshelman <fred@eshelmanventures.com>  
Subject: Trump Strategy

Spoke to Trump campaign last night. Trump is going to start having rallies on Thursday. He is taking it to the people and has at least five stops scheduled. AG Barr has officially announced DOJ is opening a fraud investigation(s). This gives us some needed time.

Our team was in Austin yesterday working with the True the Vote team. We are taking over comms and prioritizing their work (we need them to get whistleblowers vetted and ready and to get their data teams beefed up). Rolling out mass fundraising effort today and tomorrow. Bopp did not file first suit yesterday, hoping that comes today or tomorrow. Working with him in the PR he will want to support his strategy.

Sent from my iPhone

**From:** [Fred Eshelman](#)  
**To:** [Sabrina R. Tour](#)  
**Subject:** FW: call  
**Date:** Wednesday, January 6, 2021 12:39:42 PM

CAUTION: EXTERNAL EMAIL

**From:** Fred Eshelman  
**Sent:** Tuesday, November 10, 2020 7:16 PM  
**To:** Tom Crawford <tomcrawforddc@gmail.com>  
**Subject:** RE: call

Sensational. I really appreciate what you're doing. The country owes you.

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Tuesday, November 10, 2020 5:07 PM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Re: call

Just coming up for air. Here is the latest:

- Trump not backing down. More convinced than ever that the election is illegitimate. Barr issuing subpoenas to get data, ballots, election rolls, etc.
- Bopp had been holding off filing in PA because he said many of the judges are terrible. Trump filed today and for what Bopp calls the "dream judge" to hear these cases. We will likely file there now because that judge will likely hear all related cases. Bopp thinks this is a game changing development.
- We have deployed our team to meet with a whistleblower in Yuma, AZ. Please God let his story pan out. He maintains he participated in Democratic training for ballot harvesting that was large scale. He has video, emails, names/lists. We will be with him tonight to further vet him. His main claim is that Dems held mass training to foster illegal vote harvesting and fraud. Stay tuned.
- we brought on comms support for True the Vote including a spokesperson and media booker. This also allows me to keep them focused. They need to keep their efforts 100 percent in Presidential Election, not GA or future reform. Herding cats but they are good people.
- grassroots fundraising and donor outreach going out tonight. I will let you know the response. I have also added a group of big donor fundraisers who are working their networks.

**Jacobs, Ronald M.**

---

**From:** Fred Eshelman <fred@eshelmanventures.com>  
**Sent:** Monday, November 23, 2020 9:13 PM  
**To:** Jacobs, Ronald M.  
**Subject:** FW: call

**Caution: External Email**

---

**From:** Fred Eshelman  
**Sent:** Tuesday, November 10, 2020 7:20 PM  
**To:** Tom Crawford <tomcrawforddc@gmail.com>  
**Subject:** RE: call

If we make progress, I am still committed to putting in big money.

---

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Tuesday, November 10, 2020 7:19 PM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Re: call

Thanks Fred, but pales in comparison to your support. Glad to be able to at least do my part. Bopp filed in Harrisburg Federal Court today. He is energized.

Sent from my iPhone

On Nov 10, 2020, at 7:15 PM, Fred Eshelman <fred@eshelmanventures.com> wrote:

Sensational. I really appreciate what you're doing. The country owes you.

---

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Tuesday, November 10, 2020 5:07 PM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Re: call

Just coming up for air. Here is the latest:

- Trump not backing down. More convinced than ever that the election is illegitimate. Barr issuing subpoenas to get data, ballots, election rolls, etc.

- Bopp had been holding off filing in PA because he said many of the judges are terrible. Trump filed today and for what Bopp calls the "dream judge" to hear these cases. We will likely file there now because that judge will likely hear all related cases. Bopp thinks this is a game changing development.

**From:** [Fred Eshelman](#)  
**To:** [Sabrina R. Tour](#)  
**Subject:** FW: call with Bopp  
**Date:** Wednesday, January 6, 2021 12:44:12 PM

---

CAUTION: EXTERNAL EMAIL

**From:** Fred Eshelman  
**Sent:** Thursday, November 12, 2020 6:30 PM  
**To:** Tom Crawford (tomcrawforddc@gmail.com) <tomcrawforddc@gmail.com>  
**Subject:** call with Bopp

I was encouraged. Where are we on \$?

Also, you did not really give details on whistle blowers. Where are we on that? Thanks.

**From:** [Fred Eshelman](#)  
**To:** [Sabrina R. Tour](#)  
**Subject:** FW: call with Bopp  
**Date:** Wednesday, January 6, 2021 1:07:05 PM

CAUTION: EXTERNAL EMAIL

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Thursday, November 12, 2020 7:24 PM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Re: call with Bopp

The Bopp thing is taking shape. The path to win by eliminating votes and changing the count is clean. We also have the other avenues if needed (go to House, etc.).

There are three whistleblower cases that have survived the initial diligence. AZ ballot harvesting, training people to cheat, money changing hands, Election Day fraud (three people with really solid evidence, video, emails, documents, etc.), NV (one person) ballot harvesting/fraud, money for votes, etc and GA, person working for Stacey Abrams running ballot harvesting scheme (this one would be hugely impactful on Senate races). I am still awaiting more detail but Greg is a former intelligence guy who is very satisfied with the vetting so far.

We are arranging for Senator Graham's investigative staff to hear the stories and view evidence this evening. If they are good we will hand the whistleblowers to them to get sworn and start talking to government officials and law enforcement. We are providing legal representation and resources to whistleblowers.

I will keep you posted.

Sent from my iPhone

On Nov 12, 2020, at 6:30 PM, Fred Eshelman <[fred@eshelmanventures.com](mailto:fred@eshelmanventures.com)> wrote:

I was encouraged. Where are we on \$?

Also, you did not really give details on whistle blowers. Where are we on that?

Thanks.

**Jacobs, Ronald M.**

---

**From:** Fred Eshelman <fred@eshelmanventures.com>  
**Sent:** Monday, November 23, 2020 9:24 PM  
**To:** Jacobs, Ronald M.  
**Subject:** FW: Our theme

**Caution: External Email**

---

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Friday, November 13, 2020 9:09 AM  
**To:** James Bopp Jr <jboppjr@aol.com>  
**Cc:** dymailbox@gmail.com; Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Re: Our theme

Thanks Jim, very helpful.

Sent from my iPhone

On Nov 13, 2020, at 8:14 AM, James Bopp Jr <[jboppjr@aol.com](mailto:jboppjr@aol.com)> wrote:

Tom info for your comms team. states what you are looking for. Jim

---

The most important thing about our litigation is the investigation to examine the poll lists to determine if there are sufficient illegal votes to cast the election results into doubt, which Gregg and our experts will do. The incidents of voting irregularities is only pertinent to justify the investigation by establishing a creditable suspicion of illegal votes -- these are not the proof of them, but the justification for our investigation. Our investigation and expert report will be the proof, if it exists.

Thus, this is not a retread of the Trump suit but takes it one step, critical step, further, by investigating to determine how many actual illegal votes were cast by analyzing poll lists.

THIS IS THE THEME: Based on available evidence so far, there is a legitimate suspicion of illegal voting that justifies a through investigation of poll lists to determine whether there are sufficient actual illegal votes to cast the election results into doubt and overturn those results. Voter plaintiffs, through their experts, will conduct this investigation once they get currently non-available poll lists and other information about the election.

**True the Vote Files Lawsuit in Georgia to Launch an Investigation Into**

## **Voter Rolls to Determine the Number of Illegal Votes Cast in Georgia**

*Georgia voters believe that there is sufficient suspicion of illegal voting that a through investigation of illegal voting is warranted*

True the Vote, as part of its “Validate the Vote” initiative, earlier today filed a lawsuit in Georgia on behalf of four legally registered voters in order to conduct a through investigation of the illegal votes in Georgia. The lawsuit names the members of Boards of Elections and Registrations for seven counties along with Gov. Brian Kemp and Secretary of State Brad Raffensperger as defendants.

“The election inconsistencies displayed in Georgia deserve a thorough investigation in order to ensure that the voting rights of legal voters in the Peach State are defended,” said True the Vote founder and president Catherine Engelbrecht. “The events surrounding Georgia’s elections are a disgraceful representation of the election system in the United States. Our litigation seeks to follow the law, to find the facts, and to discover the vulnerabilities that exist in order to do a through investigation of voter rolls to determine if illegal votes were cast and to ensure fair results of the most recent presidential election.”

As a result of the creditable suspicion of illegal election activity in Georgia, the law suit is demanding that election officials produce poll list and other key information so that the Voter's experts can analysis who voted, using sophisticated data analytics, to determine if illegal votes were cast.

The Voters want to investigate eight Georgia counties – Chatham, DeKalb, Fulton, Clayton, Gwinnett, Cobb, Richmond, and Henry. If the Voter's study of voter roles reveals sufficient illegal votes that place in doubt the Presidential-election results, they would seek to overturn the election results in the counties where that evidence exists as violating the right to vote of Georgia's legitimate voters by diluting lawful votes with fraudulent ones, in violation of the equal protection clause.

Leading True the Vote’s litigation efforts is General Counsel James Bopp, Jr., who played a key role in the *Bush v. Gore* case and successfully brought *Citizens United v. FEC*.

The voters represented in the litigation provide personal testimony of suspicious and possibly illegal election activity, that would justify this investigation, including:



- An absentee ballot requested and submitted in voter's name although he voted in person and did not use an absentee ballot
- A voter told she had early voted when she had not done so, then given an absentee ballot to fill out and submit, but never received confirmation the issue was resolved
- A voter in the military who requested, but never received his absentee ballot
- A voter whose mother received a ballot in the mail addressed to someone she knew to be deceased and who lived in Florida prior to her death.

Additionally, the lawsuit alleges voting machine glitches, election officials tabulating votes in secret after telling poll watchers they were done counting ballots for the night, and evidence that some counties' voter registration lists exceed 100 percent of the eligible voters in that county.

Prior to the Secretary of State Brad Raffensberger announcing a hand recount of the presidential results, Joe Biden was leading President Trump by less than 13,000 votes or .2 percent of the total.

The suit requests that the Court expedite discovery of poll lists and other information necessary to conduct the investigation and, if the investigation results in sufficient illegal votes being documented, take action before the December 8, 2020 deadline for the state to certify the results of the Presidential election. The acceptance of unlawful ballots by election officials in any of these seven counties would draw into question the veracity of Biden's lead.

True the Vote has also filed litigation on behalf of voters in [Pennsylvania](#) [LINK](#) [Michigan](#) [LINK](#) and Wisconsin to conduct similar investigations and will continue pursuing all legal avenues to ensure that voters voices are heard and election inconsistencies and malfeasance are thoroughly analyzed and investigated to see if it resulted in sufficient actual illegal votes to invalidate the election.

Following is a time line of key dates surrounding final certification of elections and vote of the Electoral College, prior to Inauguration Day:

- **December 8:** "Safe Harbor" – date by which states must certify results and assign electors. If an election is in dispute, state legislatures may assign electors.
- **December 14:** Electors meet in their states to cast votes for the president and Vice President.
- **January 3:** New Congress is sworn in; 117th session starts.
- **January 6:** Electoral votes are counted in House chamber by members of House and Senate; if neither candidate has 270 electoral college votes, the election is in dispute.

- **January 20:** Inauguration Day – new president takes oath of office. In a disputed election, the House will appoint the president and Senate will choose the Vice President.

**From:** [Fred Eshelman](#)  
**To:** [Sabrina R. Tour](#)  
**Subject:** FW: call with Bopp  
**Date:** Wednesday, January 6, 2021 12:44:57 PM

CAUTION: EXTERNAL EMAIL

**From:** Fred Eshelman  
**Sent:** Friday, November 13, 2020 8:10 AM  
**To:** Tom Crawford <tomcrawforddc@gmail.com>  
**Subject:** RE: call with Bopp

Having Nan transfer \$500k today. She will reach out to coordinate with you.

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Friday, November 13, 2020 8:05 AM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Re: call with Bopp

We are ok at the moment. Waiting in the fundraising results (in the early phase of launch - had to set up some infrastructure to be able to hit all 50 states (True the Vote was not registered everywhere). I will keep you posted on return. We may need additional short term money for Bopp - Trying to get a reconciliation.

Sent from my iPhone

On Nov 13, 2020, at 4:29 AM, Fred Eshelman <fred@eshelmanventures.com> wrote:

That's great. Please keep me up to date in real time. How are we on \$?

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Thursday, November 12, 2020 7:24 PM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Re: call with Bopp

The Bopp thing is taking shape. The path to win by eliminating votes and changing the count is clean. We also have the other avenues if needed (go to House, etc.).

There are three whistleblower cases that have survived the initial diligence. AZ ballot harvesting, training people to cheat, money changing hands, Election Day fraud (three

people with really solid evidence, video, emails, documents, etc.), NV (one person) ballot harvesting/fraud, money for votes, etc and GA, person working for Stacey Abrams running ballot harvesting scheme (this one would be hugely impactful on Senate races). I am still awaiting more detail but Greg is a former intelligence guy who is very satisfied with the vetting so far.

We are arranging for Senator Graham's investigative staff to hear the stories and view evidence this evening. If they are good we will hand the whistleblowers to them to get sworn and start talking to government officials and law enforcement. We are providing legal representation and resources to whistleblowers.

I will keep you posted.

Sent from my iPhone

On Nov 12, 2020, at 6:30 PM, Fred Eshelman  
<fred@eshelmanventures.com> wrote:

I was encouraged. Where are we on \$?  
Also, you did not really give details on whistle blowers. Where are we on that? Thanks.

**Exhibit 5**  
**to**  
**Declaration of Defendant Catherine Engelbrecht**  
**“The Demand for Payment of Old Town Digital Agency**  
**LLC’s Million-Dollar Invoice”**

iMessage with +1 (202) 549-2315  
11/5/20, 10:28 AM

We can't hear you!

Tom what is the name of the the digital firm we're going through?

Old Town Digital Agency. This is the group we use. We have spent heavily building their targeting and data models. They are the best.

All good, just checking to see who knows who.

No worries. I am Fred's rep.

Please let me know when you can get on a call to discuss.

Will do. Back to you shortly. In a series of calls that end soon.

11/5/20, 2:20 PM

Catherine,  
  
Validate the Vote  
  
Let me know what you think.  
  
Thanks,  
  
Tom

I love it

We have grabbed [validatethevote2020.com](https://www.validate-the-vote.com) and will register the others soon. Ready to roll

Great!

11/5/20, 4:50 PM

Any update on the one pager? Thx. Media all over the fraud discussion. Big window open here.

---

From: Catherine Engelbrecht <catherine@truethevote.org>  
Date: Tuesday, November 17, 2020  
Subject: Fwd: Invoice 11032020-98753 from Old Town Digital Agency LLC  
To: Jim Bopp <jboppjr@aol.com>

----- Forwarded message -----

From: **Old Town Digital Agency LLC** <[quickbooks@notification.intuit.com](mailto:quickbooks@notification.intuit.com)>  
Date: Fri, Nov 13, 2020 at 9:42 AM  
Subject: Invoice 11032020-98753 from Old Town Digital Agency LLC  
To: <[catherine@truethevote.org](mailto:catherine@truethevote.org)>

INVOICE 11032020-98753 DETAILS

Old Town Digital Agency LLC

DUE 11/13/2020

**\$1,000,000.00**

**Print or save**

Powered by QuickBooks

Dear Catherine Engelbrecht,

Here's your invoice! We appreciate your prompt payment.

Have a great day,  
Old Town Digital Agency LLC

|                |   |
|----------------|---|
| <b>Bill to</b> | True The Vote<br>ATTN:Catherine Engelbrecht |
|----------------|---|

---

**Terms**

Due on receipt

**Services**

\$1,000,000.00

Digital Media Creation and Distribution  
Communication Team and Support Staff  
Strategic Consulting Partners

1 X \$1,000,000.00

---

Balance due      \$1,000,000.00

**Print or save**

---

Old Town Digital Agency LLC

201 North Union St. Suite 110 #11181 Alexandria, VA 22314 US

[cindy@oldtowndigitalagency.com](mailto:cindy@oldtowndigitalagency.com)

---

If you receive an email that seems fraudulent, please check with the business owner before paying.



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--

 Catherine Engelbrecht

Founder, True the Vote



**Jacobs, Ronald M.**

---

**From:** Fred Eshelman <fred@eshelmanventures.com>  
**Sent:** Monday, November 23, 2020 9:07 PM  
**To:** Jacobs, Ronald M.  
**Subject:** FW: Invoice 11032020-98753 from Old Town Digital Agency LLC

**Caution: External Email**

---

**From:** Fred Eshelman  
**Sent:** Sunday, November 15, 2020 1:58 PM  
**To:** Catherine Engelbrecht <catherine@truethevote.org>  
**Subject:** RE: Invoice 11032020-98753 from Old Town Digital Agency LLC

The Old Town Invoice is fine to pay. I got color on it from Tom.  
Thanks.

---

**From:** Catherine Engelbrecht <catherine@truethevote.org>  
**Sent:** Saturday, November 14, 2020 10:45 PM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Fwd: Invoice 11032020-98753 from Old Town Digital Agency LLC

Fred -

Thanks for taking time to visit with Jim and I earlier today. I'll let you, Tom, and Dikran know what comes from our next conversations with the Trump Team. We spent the balance of the day reviewing data assets that might be helpful to us. This new alignment brings with it significant changes to the cash flow, which can now be easily summarized:

|                         |               |
|-------------------------|---------------|
| Cash                    |               |
| Donation                | \$2,500,000   |
| Bopp Law Firm Advance   | \$500,000     |
| Old Town Digital Agency | \$1,000,000** |

*\*\* Upon your approval, we can wire funds to Old Town Digital. Their invoice is included at the bottom of this email. We have not yet received any work product or plan. I know they have a lot of great ideas, and would be glad to consider anything they bring to us. We have also scaled our comms team substantially over the last two weeks to cover pr and bookings.*

At present it is our understanding that we will incur no further legal bills. We will have to continue to fund our research effort separate from the Trump team, but our expenses should be manageable within currently available funds. One exception would be if it's determined that individual voter confirmations are necessary, but we won't know that for about a week and the cost would be entirely determined by scale, which is also unknown.

The whistleblower effort was a huge success. Four whistleblowers: in Nevada, in Arizona, in Georgia, and in the DOJ (which we've discussed). We've secured legal representation for the group in Arizona; Georgia is still coming together. The Nevada case is interesting in that it has roots in Nevada, but it multi-state. We are writing up the briefs on these individuals now to give to Senator Graham and Cruz. At present our expenses are around \$100,000 for the

Sent from my iPhone

On Nov 15, 2020, at 7:10 AM, Fred Eshelman <fred@eshelmanventures.com> wrote:

I asked Catherine for cash flow and among other things she sent an invoice from Old Town Digital Agency for \$1M. I looked them up and couldn't find anything except registration of the LLC in DE with a DE address, They billed for digital media creation/distribution, communication teams, and strategic consulting partners. I have not seen any digital media or external communications. Who are the strategic consulting partners? I want to keep this effort going but this needs details, please. Catherine emailed me to say that she had been on a call last night with Jay Sekulow, Lindsey Graham, Sean Hannity, and Larry Ellison. They requested a report asap; Catherine said she would forward the draft when complete. She said whistleblowers in NV, AZ, GA and DOJ solid. NV could lead to other places.

**From:** [Fred Eshelman](#)  
**To:** [Sabrina R. Tour](#)  
**Subject:** FW: \$1M invoice  
**Date:** Wednesday, January 6, 2021 12:47:14 PM

---

CAUTION: EXTERNAL EMAIL

**From:** Fred Eshelman  
**Sent:** Sunday, November 15, 2020 9:51 AM  
**To:** Tom Crawford <tomcrawforddc@gmail.com>  
**Subject:** RE: \$1M invoice

Ok. Again, let me know if I can help with pressure, positive input, running interference, etc.

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Sunday, November 15, 2020 9:37 AM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Re: \$1M invoice

Old Town Digital is the communications and media firm we have been using since the election. It is an LLC that LoudDoor, the firm I believe is the best in the business created to protect their private sector work from their political activities.

We have hired media bookers/comms specialists (Gentry Collins/Collins Anderson Phillips Public Affairs), fundraisers (Susan Donatelli/Campaign Solutions Group), researchers (Maloney/Jackson Alvarez Group), content creators and done the polling/survey work through LoudDoor as well as targeting for whenever we get content.

I am absolutely exasperated by Catherine and her team. I have everything ready to go - including have media reserved. I have received absolutely nothing from Catherine, Greg or her team in terms of usable content. We have asked and been promised repeatedly. I was writing her an email when this came through. We need it make a push and I have nothing. Senator Graham team told us they can't do anything until they see our "proof" and analysis. This extends to whistleblowers, data, etc. we have been giving nothing more than the briefings you have received.

On fundraising, I learned that Catherine has not registered her organization in states Sinai have had to hire a group to do the registrations so we don't get subpoenaed in Dem states. Maddening.

I just left Catherine a VM asking her to call me. She doesn't have a clue about how to do the campaign piece.

**Jacobs, Ronald M.**

---

**From:** Fred Eshelman <fred@eshelmanventures.com>  
**Sent:** Monday, November 23, 2020 9:08 PM  
**To:** Jacobs, Ronald M.  
**Subject:** FW: \$1M invoice

**Caution: External Email**

---

**From:** Fred Eshelman  
**Sent:** Sunday, November 15, 2020 1:22 PM  
**To:** Tom Crawford <tomcrawforddc@gmail.com>  
**Subject:** RE: \$1M invoice

Want to discuss this? I am not going to waste millions on a pissing contest that might jeopardize the outcome.

---

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Sunday, November 15, 2020 1:04 PM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Re: \$1M invoice

I just had a difficult call with Catherine. She is resistant to sharing ANY details with us about whistleblowers or the data work and took an "I run this" tone with me.

She told me she had no idea we were building out a Comms function despite her repeatedly asking us to do it for her - and our team going to Austin to start the whole process. There have been no comms because we cannot get ANY information from her and her team. She had full agreement in the comms/data/legal breakdown and is now professing amnesia.

She is all over the place. One moment she tells me we are supposed to be pushing the whistleblower narratives and telling the next that she can't share any details with me. It goes on and on like this.

We agreed it may be best to her to send \$1 million back to you to fund the comas work directly (because I told her we weren't going to do promotional videos for her). I have asked the comms guys to reach out to her one last time to see if they can figure it out but I am out of time and patience. She thinks we are running some kind of coup. She is just crazy.

They have the funds they need to support the data work. I would prefer to focus on Bopp and how we can support him. He is keen to have comms support and we can work that direct and we will get better info and impact with him.

Let me know when you can discuss. Sorry for the pain in the ass. I was warned about her but really wanted to run with Bopp.

Sent from my iPhone

On Nov 15, 2020, at 9:50 AM, Fred Eshelman <fred@eshelmanventures.com> wrote:

**Jacobs, Ronald M.**

---

**From:** Dikran Yacoubian <dymailbox@gmail.com>  
**Sent:** Tuesday, November 24, 2020 9:42 AM  
**To:** Jacobs, Ronald M.  
**Subject:** Fwd: Invoice # 11032020-98753

**Caution: External Email**

Hi Ron - when I asked my controller for a copy of the invoice, she found the message below from Catherine in her junk folder.

----- Forwarded message -----

From: **Cindy McKenzie** <[cindy@oldtowndigitalagency.com](mailto:cindy@oldtowndigitalagency.com)>  
Date: Tue, Nov 24, 2020 at 9:10 AM  
Subject: Fwd: Invoice # 11032020-98753  
To: <[dymailbox@gmail.com](mailto:dymailbox@gmail.com)>

Also,

I just found this email from Catherine in my junk mail.

See below

----- Original message -----

From: Catherine Engelbrecht <[catherine@truethevote.org](mailto:catherine@truethevote.org)>  
To: [cindy@oldtowndigitalagency.com](mailto:cindy@oldtowndigitalagency.com)  
Subject: Invoice # 11032020-98753  
Date: Friday, November 20, 2020 10:54 AM

Dear Cindy,

On November 13, 2020, True the Vote, Inc. received an invoice for \$1,000,000 from Old Town Digital Agency LLC (Invoice # 11032020-98753).

I was not aware that True the Vote had any kind of agreement with Old Town Digital Agency, and, to my knowledge, True the Vote has not received any services from Old Town Digital Agency. If there is such an agreement, please email to me.

I also need to understand the basis for this invoice. Please provide me with a detailed invoice, which should include a description of the specific services Old Town Digital Agency provided to True the Vote, the date and time of the services, the amount of time each service took to perform and the person or persons who performed each service. Please also provide a detailed description of any expenses incurred by Old Town Digital Agency on behalf of True the Vote.

Finally, please also provide me the name and contact information for whomever is the CEO of Old Town, along with your direct phone contact information.

Thank you for your prompt attention to this matter.

Best Regards -  
Catherine Engelbrecht



Catherine Engelbrecht  
True the Vote

**From:** [Catherine Engelbrecht](#)  
**To:** [Jim Bopp](#); [Melena Siebert](#)  
**Subject:** Fwd: Invoice cancellation  
**Date:** Monday, November 23, 2020 10:16:09 AM

---

----- Forwarded message -----

**From:** **Dymailbox** <[dymailbox@gmail.com](mailto:dymailbox@gmail.com)>  
**Date:** Mon, Nov 23, 2020 at 7:42 AM  
**Subject:** Invoice cancellation  
**To:** Catherine <[catherine@truethevote.org](mailto:catherine@truethevote.org)>, Gregg Phillips <[gp@opsec.group](mailto:gp@opsec.group)>, Tom Crawford <[tomcrawforddc@gmail.com](mailto:tomcrawforddc@gmail.com)>


Hey Catherine,

Since the time for any communications effort is over, and since you have never asked me to perform any of the services we had discussed, I am cancelling the invoice for \$1 million from Old Town Digital.

Thanks,

— Dikran

--

 Catherine Engelbrecht  
Founder, True the Vote

**OLD TOWN DIGITAL AGENCY, LLC**

201 N. Union Street, Suite 110  
Alexandria, Virginia 22314

December 5, 2020

Ms. Catherine Engelbrecht, President  
True The Vote  
P.O. Box 3109  
Houston, Texas 77253-3109

Dear Catherine,

I've heard about the unfortunate developing disagreement between True The Vote and its donor and want you both to know that, although my role in the planned project has ended I will be happy to be of service in any way that I can to help resolve it amicably. I know that we are all on the same side in wanting what's best for the country, and I'm sure that y'all can find an appropriate path forward.

To that end, and because I understand that there was some confusion regarding an invoice from Old Town Digital Agency LLC (the company that I'm involved with in these matters), I wanted to clarify what that was about.

Old Town and I had, during the campaign, done some work that the donor had supported to increase voter participation in several battleground states. Because he was familiar with us, after Election Day, he asked us what might be done to help ensure an accurate vote count. Knowing of TTV's experience and interest in such matters, we suggested that TTV might be an appropriate contractor to handle what became the Validate The Vote whistleblower campaign and related legal battles. That was when I contacted you and TTV by email about November 5.

That contact then led to my trip to Austin on November 11, where you and I met with Gregg and the rest of the team. As Mr. Bopp noted and we all agreed at that meeting and subsequently, the traditional media would not publicize your fraud findings; so getting the truth out would require paid media. For that, the project was going to require experienced PR horsepower.

I believe you said at that meeting that our (my and Old Town's) attendance and involvement were providential because TTV didn't have a full power communications team in place. For that, I/Old Town over the next several days, put together a top-notch team that included Bob Heckman (as a conduit to Senate Judiciary), Gentry Collins and his team (to handle media booking, press releases, etc.), and Gary Maloney (to help vet our media stories before launch).

No one in this assemblage was ever contracted in TTV's name. Rather, their contracts were with Old Town; and they have all been paid directly by Old Town. The cost to lock in that team for 60



Ms. Catherine Engelbrecht

December 5, 2020

Page 2

days amounts to roughly \$95,000 plus expenses. Old Town paid them for the first 30 days, and has since wound the team down as it appeared additional involvement would not be needed.

Also during that start-up phase, we contacted Campaign Solutions to get your small dollar fundraising running after you told me your previous vendor didn't work out. After working through the logistics, we realized that TTV was not registered to raise money across the country; so we had to pull the plug on that effort.

We also conducted an on-line survey to determine how the voting public felt about the validity of the election and whether or not they thought a vigorous investigation was needed to give credibility to the eventual declaration of a victor.

Following this, we wanted to start rolling out a few cases of voter fraud a day (from your hotline) on the Validate the Vote site. From our meeting in Austin, it appeared that this was the easiest way to populate the site. But those cases did not ever materialize – at least, not yet.

In the end, all the players except for Mr. Maloney ended up actively working to support the project. Mr. Collins's team spoke with Mr. Bopp, who briefed them on the legal piece; and they began pushing TV bookings for him. They also attempted to work with Cat to pull together daily briefings. Bob Heckman spoke with you and with Mr. Bopp for complete background and updates so that he could share findings with Senate Judiciary in real time as hard evidence was identified.

Aside from my personal time and travel, Old Town put together and conducted the survey, coordinated getting the consultants into place, and was ready to launch a national media campaign immediately upon notice to do so. To be sure, we were all moving as fast as possible because of the deadline in front of us. I was not asked for a written plan, and I did not put together one on my own because I didn't know what we were advertising.

About November 13, for all of those services and expenses, some already provided or incurred and others to be provided or incurred over the life of the project, Old Town sent you its invoice 11032020-98753 in the amount of \$1 million, which I had understood from our meeting in Austin was the amount allocated to the various tasks and consultants described above. In hindsight, a more detailed invoice may have been preferable; but as noted everything was necessarily moving at the speed of light. Chalk that shortcoming up to Friday the Thirteenth.

To be clear, the invoice was to pay for the \$95,000 for the PR/communications team we engaged to support your efforts. The remaining \$900,000 was for an initial media spend. We estimated, however, that the full-term cost of a media campaign to support your project would be several million dollars more than that.

Of course, we would never launch a media campaign without your prior approval. That process would have involved a written plan (if you requested one), and a joint (you and us) work-through

Ms. Catherine Engelbrecht

December 5, 2020

Page 3

of the details in a plan that would have included the initial breakdown on anticipated media spends. However, at the time that the project began to deteriorate, I still didn't have any facts to publicize around which a plan could be drafted.

When I sent the invoice on November 13, you told me that it was too late on Friday to authorize a wire that size over the phone, but that you would try to get it authorized on Saturday; and when we spoke on Saturday, you said that you would go to the bank then to authorize a transfer for first thing on Monday. As things developed, the wire was not sent; and the invoice was never paid. Because of the project being largely aborted, and in order to help conserve resources for whatever might be done to help with the election battles, Old Town has rescinded the invoice and is not seeking payment for the expenses that it incurred or for the services that it provided during the course of its involvement. As I noted when you followed up later saying you couldn't pay the invoice because of concerns about 501(c)(3) donor relations, my solution was and remains to just return the money to the donor.

I still think the idea of a combination of whistleblowers and a demonstration of statistically impossible voting patterns is the best path forward for both the current presidential election and for pushing campaign reforms in the future. And I still think TTV is an appropriate vehicle to make those needed reforms happen. As late as the weekend before Thanksgiving, I was texting with Gregg Phillips and hopeful that we would have something concrete to launch with.

Please let me know if there is anything I can do to help clear up this situation so everyone can get back to the important task at hand of ensuring ballot and election-outcome integrity.

Sincerely,

Dikran Yacoubian

Copy to: Fredric N. Eshelman

**Exhibit 6**  
**to**  
**Declaration of Defendant Catherine Engelbrecht**  
**Documentation on Old Town Digital Agency LLC**

## Entity Details

## THIS IS NOT A STATEMENT OF GOOD STANDING

|                     |                             |   |                           |
|---------------------|-----------------------------|---|---------------------------|
| <u>File Number:</u> | 3684375                     | <u>Incorporation Date / Formation Date:</u> | 9/17/2020<br>(mm/dd/yyyy) |
| <u>Entity Name:</u> | OLD TOWN DIGITAL AGENCY LLC |   |                           |
| <u>Entity Kind:</u> | Limited Liability Company   | <u>Entity Type:</u>                         | General                   |
| <u>Residency:</u>   | Domestic                    | <u>State:</u>                               | DELAWARE                  |

REGISTERED AGENT INFORMATION

|                 |   |                     |            |
|-----------------|---|---------------------|------------|
| <u>Name:</u>    | THE CORPORATION TRUST COMPANY           |                     |            |
| <u>Address:</u> | CORPORATION TRUST CENTER 1209 ORANGE ST |                     |            |
| <u>City:</u>    | WILMINGTON                              | <u>County:</u>      | New Castle |
| <u>State:</u>   | DE                                      | <u>Postal Code:</u> | 19801      |
| <u>Phone:</u>   | 302-658-7581                            |                     |            |

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

Would you like ☐ Status ☐ Status, Tax & History Information

**STATE OF DELAWARE  
CERTIFICATE OF FORMATION  
OF LIMITED LIABILITY COMPANY**

The undersigned authorized person, desiring to form a limited liability company pursuant to the Limited Liability Company Act of the State of Delaware, hereby certifies as follows:

**First:** The name of the limited liability company is Old Town Digital Agency LLC

**Second:** The address of its registered office in the State of Delaware is located at Corporation Trust Center, 1209 Orange Street, Wilmington, New Castle County, Delaware 19801. The name of its registered agent at such address upon whom process against this limited liability company may be served is The Corporation Trust Company.

By:   
Frank W. Cureton, Authorized Person



Old Town Digital Agency LLC

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Web Images Video More Anytime SafeSearch

About 25,800,000 search results

## TOWN - TowneBank

Yahoo Finance

News Charts Conversations



Range: 1d 5d 6m 1y Max

25.12 -0.47 (-1.84%)

at Fri, Jan 8, 2021, 4:00PM EST - U.S. markets open in 5 hours 56 minutes

Nasdaq Real Time Price

|             |       |             |       |
|-------------|-------|-------------|-------|
| Open        | 25.72 | 52 Wk. High | 28.21 |
| High        | 25.72 | 52 Wk. Low  | 15.03 |
| Low         | 24.73 | P/E         | 13.96 |
| Prev. Close | 25.59 | Mkt. Cap    | 1.83B |

NasdaqGS • Price in USD • Quotes up to 0 mins delayed

Web results:

## Old Town Media - Creative Branding &amp; Storytelling Agency in ...

oldtownmediainc.com

We are a marketing, branding, design and public relations (PR) **Agency** based in Fort Collins, Colorado that specializes in storytelling

## Our Team of Marketing &amp; Design Experts - Old Town Media

oldtownmediainc.com/our-team

Old Town Media is a locally owned and operated team of expert designers, developers and marketing professionals. We've built a reputation for creating exceptional ROI for our clients and we offer a unique and agile approach to all things creative. **Miles Kaiburn**. CEO / Founder. View Bio.

## 28 Best San Diego Digital Marketing Agencies | Expertise

www.expertise.com/ca/san-diego/digital-marketing...

The **agency** provides research, testing, and analysis services for clients' **digital marketing strategies**, as well as using social media platforms to drive sales. It also designs and develops SEO-focused and responsive websites to improve customer engagement.

## Old Town residents revive iconic Johnny's Restaurant

bangordailynews.com/2020/12/31/news/bangor/old...

Johnny's Family Restaurant was a community staple for many years in **Old Town**. But over time, the business was shuffled from one owner to the next, each one trying to carry on the legacy.

## Old Town Insurance, LLC | Home &amp; Auto Quotes

www.oldtowninsuranceservices.com

Compare Insurance Quotes with **Old Town Insurance, LLC**. For residents just moving into Florida or who are looking to update their current insurance policies, the agents at **Old Town Insurance LLC** have exactly what you are looking for to meet more than the minimum insurance requirements for Florida.

## Marketing Agency in Bluffton SC | Advertising | Group 46 ...

www.grp46.com

Welcome to Bluffton's and Hilton Head's advertising and marketing **agency**. Our team has worked with some of the largest and smallest companies in the world bringing talent.

## Old Town Title

oldtowntitle.com

**Old Town Title**. When purchasing a new home or refinancing an existing mortgage, do you know what transpires from the time of application to the day of settlement? At **Old Town Title**, we realize your home is your most valuable asset.

## Advertising Agencies CT | Cronin

www.cronin-co.com

We're a **digitally driven**, results-focused **marketing agency** that's propelled by technology, steeped in creativity and rooted in truth.

## Campaign Solutions | A Full-Service Digital Consulting Firm

www.campaignsolutions.com

Founded in 1998 by **digital pioneer** Becki Donatelli, Campaign Solutions made history by raising the first-ever online donation in politics on our proprietary eDonation platform. Since then, we've gone on to build an award-winning team offering unparalleled expertise in political strategy, online fundraising, advertising, social media, web design and development, data targeting, mobile solutions and more.

Ad related to: Old Town Digital Agency LLC

## Search Laboratory™ - Digital Marketing

www.searchlaboratory.com

Award-Winning Search! See Why US Companies Are Choosing Search Labs. 10 Years of Maximizing Your Search Profits Online. Contact Us Today!

Old Town Digital Agency LLC

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Terms of Service (Updated)

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Ad related to: Old Town Digital Agency LLC

[Popular Searches - Digital Agency - TopWebAnswers.com](#)[www.topwebanswers.com/Digital Agency/Here](#)

topwebanswers.com has been visited by 1M+ users in the past month

Search For **Digital Agency**. We Have Everything You Are Looking For! Find Quick Results from Multiple Sources. Explore the Best Info Now.[Check Instantly](#)[Comprehensive Results](#)[Satisfaction Guarantee](#)[Look Up Results](#)[Immediate Response](#)[Updated Info](#)

Web results:

[Old Towne Media LLC | The Vermont Political Observer.](#)[thevpo.org/tag/old-towne-media-llc](#)

The campaign funneled a cool \$82 million through an obscure media-buying firm located in a suburban DC house. Old Towne Media LLC did the media buys for Sanders — despite having no track record to speak of. \$82 million is roughly 40 percent of Bernie's total campaign expenditures. The ad agency, established in 2014, has almost exclusively served the Sanders campaign, and the company keeps a low profile.

[Digital Agency - My Blog](#)[oldtown.rest/home/digital-agency](#)

A **Digital Marketing Agency** Creative & Technology. The range of areas by the term consultant is wide **digital marketing agency**.

[Digital marketing agency Old Town - Trusted Services Since 2007](#)[webmediagroup.ie/digital-marketing-agency-old-town](#)

Web Media Group is a one-stop shop for businesses, who are looking for help in their **digital marketing agency** in **Old Town**. With experts in each area of the Marketing mix, such as web design, SEO (search engine optimisation), PPC management, web development, content marketing and social media services.

[Here's where redevelopment stands at 6 Maine paper mills that ...](#)[bangordailynews.com/2019/09/26/news/heres-where...](#)

Before Expera bought the property out of bankruptcy in December 2014, **Old Town** Fuel and Fiber had been closed for four months. Credit: Linda Coan O'Kresik Bucksport: Verso Paper shut down its ...

[Property Management in Old Town Alexandria Virginia - WJD ...](#)[wjdpn.com/2019/11/20/property-management-old...](#)

Property **Management** in **Old Town** Alexandria: Jan's Story. So, let's walk through a typical scenario for a townhouse in **Old Town** Alexandria. First, you need to know what the best rental price is for your property. Let's say a homeowner named Jan owns a 3-bedroom townhouse on Queen Street.

[Old Town Title](#)[oldtowntitle.com](#)

**Old Town** Title. When purchasing a new home or refinancing an existing mortgage, do you know what transpires from the time of application to the day of settlement? At **Old Town** Title, we realize your home is your most valuable asset.

[SEO Consultants: Meet Our Team of SEO Experts | Markitors](#)[markitors.com/about-us](#)

Markitors is a **digital** marketing startup located in the heart of **Old Town** Scottsdale. We connect small businesses with customers...and have a great time doing it. If you Google "**digital** marketing company," you'll find Markitors on the 1st page of search results. We know our stuff, and nothing makes us happier than moving small businesses forward.

[Old Towne](#)[www.oldtownetitle.com](#)

TECHNOLOGY: **Old Towne** Title Services utilizes state-of-the-art equipment and software to continuously streamline the closing process. All closed files are scanned to a computer image and stored on optical disks for instant retrieval.

[Home Care Agency | McKay Shared Living Services LLC. | Old ...](#)[www.mckaysharedliving.com](#)

McKay Shared Living Services is a Home Care **Agency** that offers Disability Services, in stable and well-supervised homes and programs located throughout our community.

Ad related to: Old Town Digital Agency LLC

[Search Laboratory™ - Digital Marketing](#)[www.searchlaboratory.com](#)

Award-Winning Search! See Why US Companies Are Choosing Search Labs. 10 Years of Maximizing Your Search Profits Online. Contact Us Today!



Top 100 Digital Marketing Agencies | January 2021 | The Manifest  
[themanifest.com/digital-marketing/agencies](https://themanifest.com/digital-marketing/agencies)  
Founded in 2009 as a search **agency**, Be Found Online has since developed into a full-service **digital** marketing **agency**. Based in Chicago, the company also has locations in London and Singapore, with a total team of more than 70 people.

Ad related to: Old Town Digital Agency LLC

**Popular Searches - Digital Agency - TopWebAnswers.com**  
[www.topwebanswers.com/Digital Agency/Here](https://www.topwebanswers.com/Digital%20Agency/Here)  
topwebanswers.com has been visited by 1M+ users in the past month  
Search For **Digital Agency**. We Have Everything You Are Looking For! Find Quick Results from Multiple Sources. Explore the Best Info Now.

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[Immediate Response](#)  
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Search

Message



Dikran Yacoubian · 3rd

President at LoudDoor.com

Lexington County, South Carolina, United States

122 connections · [Contact info](#)



Louddoor.com

Evangelical Christian School

## About

We specialize in pairing traditional market research with social media data to help identify and message groups of people with specific attitudes and/or attributes.

... see more

## Activity

124 followers

Posts Dikran created, shared, or commented on in the last 90 days are displayed here.

[See all activity](#)

## Experience



### President

Louddoor.com

Jan 2008 – Present · 13 yrs 1 mo

### Political Consultant

Self Employed

Jan 1994 – May 2000 · 6 yrs 5 mos

Political Research and Consulting, Technology Consultant for Campaigns

Messaging 1



Try Premium Free  
for 1 Month

### Evangelical Christian School

Highschool  
1987 – 1992

### University of Tennessee

Political Science  
Activities and Societies: College Republicans, Conservative Spectator Newspaper



Messaging 1

1/11/2021

Eshelman, Fredric N.: Donor Detail | OpenSecrets

Refinance Calculator Today's Rate **1.9**

Loan amount **\$400,000**

Loan term **15-Year Fix**

Credit score **Excellent**

Calculate Payments

Let's compare your options

## Eshelman, Fredric N.: Donor Detail

[\[Return to Top Donors page\]](#)

| Contributor                            | Amount      | Date     | Recipient                                     |
|--|-------------|----------|---|
| ESHELMAN, FREDRIC N<br>WILIMINGTON, NC | \$1,000,000 | 10/30/20 | <a href="#">Our American Century</a>          |
| ESHELMAN, FREDRIC N<br>WILIMINGTON, NC | \$1,000,000 | 10/21/20 | <a href="#">Our American Century</a>          |
| ESHELMAN, FREDRIC<br>WILMINGTON, NC    | \$1,000     | 10/19/20 | <a href="#">Congressional Leadership Fund</a> |
| ESHELMAN, FREDRIC N<br>WILIMINGTON, NC | \$5,000,000 | 09/04/20 | <a href="#">Our American Century</a>          |
| ESHELMAN, FREDRIC N<br>WILMINGTON, NC  | \$10,000    | 04/16/19 | <a href="#">Awake Carolina</a>                |

Based on data released by the FEC on December 04, 2020.

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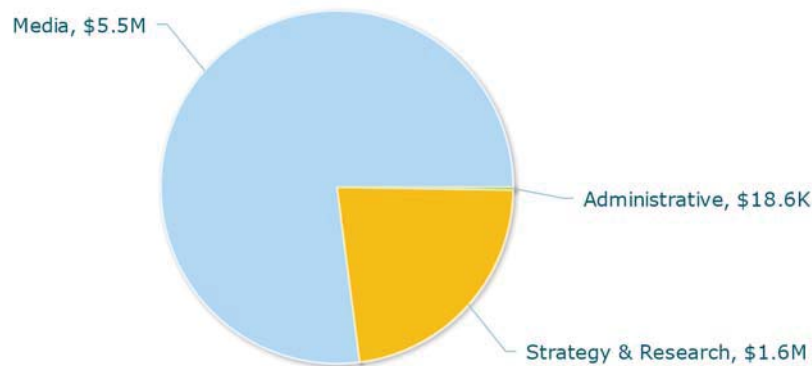
## Count Cash & Make Change

Sign up for our newsletter to track money's influence on U.S. elections and public policy.

# Expenditures by Our American Century, 2020

## Expenditures, 2020 cycle

Election cycle:



| Sector              | Description                                   | Total Expenditures |
|---------------------|---|--------------------|
| Administrative      | Accountants, compliance & legal services      | \$18,063           |
|                     | Miscellaneous administrative                  | \$500              |
| Media               | Web ads                                       | \$5,500,000        |
| Strategy & Research | Campaign data & technology                    | \$907,000          |
|                     | Polling & surveys                             | \$604,000          |
|                     | Campaign strategy & communications consulting | \$108,000          |

## Top Vendors/Recipients

| Rank | Vendor/Recipient                            | Total Expenditures |
|------|---|--------------------|
| 1    | <a href="#">OLD TOWN DIGITAL AGENCY LLC</a> | \$5,500,000        |
| 2    | <a href="#">Trafalgar Group</a>             | \$1,001,000        |
| 3    | <a href="#">Ckmp Digital</a>                | \$500,000          |

| Rank | Vendor/Recipient                          | Total Expenditures |
|------|---|--------------------|
| 4    | <a href="#">Lagniappe Communications</a>  | \$108,000          |
| 5    | <a href="#">Compliance Consulting LLC</a> | \$13,063           |
| 6    | <a href="#">Jackson-Alvarez</a>           | \$10,000           |
| 7    | <a href="#">Compliance Consulting</a>     | \$5,000            |
| 8    | <a href="#">Chain Bridge Bank, N A</a>    | \$500              |

Based on data released by the FEC on December 04, 2020.

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**BEFORE THE FEDERAL ELECTION COMMISSION**

CAMPAIGN LEGAL CENTER  
1101 14th Street NW, Suite 400  
Washington, DC 20005  
(202) 736-2200

MARGARET CHRIST  
1101 14th Street NW, Suite 400  
Washington, DC 20005  
(202) 736-2200

v.

MUR No. \_\_\_\_\_

OUR AMERICAN CENTURY  
Cabell Hobbs, Treasurer  
P.O. Box 365  
McLean, VA 22101

**COMPLAINT**

1. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that the super PAC Our American Century (ID: C00532630) has violated the Federal Election Campaign Act (“FECA”), 52 U.S.C. § 30101, *et seq.*, by making illegal, unreported, and excessive in-kind contributions to candidate Donald Trump’s campaign committee, Donald J. Trump for President, Inc.
2. According to Google’s archive of political ads, Our American Century spent between \$5,100 and \$251,000 to distribute one of the Trump campaign’s own video ads to voters in Michigan, Arizona, Pennsylvania, and Ohio. The super PAC republished the Trump campaign’s ad in its entirety; the ad even included the Trump campaign’s original “paid for by” disclaimer.

3. By paying to republish and distribute the Trump campaign’s advertisement, Our American Century made in-kind contributions to the Trump campaign, 52 U.S.C. § 30116(a)(7)(b)(iii); 11 C.F.R. § 109.23(a), and therefore violated 52 U.S.C. § 30116(a) because those contributions exceeded federal limits, and violated 52 U.S.C. § 30104(b) because the contributions were not reported. As a super PAC, Our American Century could only raise and spend unlimited funds if it did not contribute to candidates; however, because it made candidate contributions, Our American Century was not entitled to raise funds in unlimited amounts, and therefore it violated 52 U.S.C. § 30116(a)(1)(C) and 11 C.F.R. § 110.9 by accepting over \$7.5 million in contributions that exceeded FECA’s limits. Our American Century additionally violated 52 U.S.C. § 30120(a) by failing to include a disclaimer stating that it paid to distribute the advertisements.
4. Publicly available records show that Our American Century spent between \$5,100 and \$251,000 unlawfully republishing Trump campaign ads on the Google network, but the total amount in violation could be far higher. Of the \$5.5 million that Our American Century spent on digital independent expenditures in 2020, only \$259,800 appeared in the Google archive, and a smaller amount was spent on Facebook; the super PAC’s digital advertisements run on other platforms are not publicly available.
5. “If the Commission, upon receiving a complaint . . . has reason to believe that a person has committed, or is about to commit, a violation of [FECA] . . . [t]he Commission *shall* make an investigation of such alleged violation . . . .” 52 U.S.C. § 30109(a)(2) (emphasis added); *see also* 11 C.F.R. § 111.4(a).
6. Campaign Legal Center (“CLC”) is a nonpartisan, nonprofit 501(c)(3) organization whose mission is to protect and strengthen the U.S. democratic process through litigation and other



legal advocacy. CLC relies on the accurate and complete reporting of campaign finance information to carry out activities central to its mission, including research, analysis, and reporting about campaign spending and the true sources and scope of candidates' financial support. CLC participates in judicial and administrative matters throughout the nation regarding campaign finance, voting rights, redistricting, and government ethics issues.

### FACTS

7. Our American Century is an independent expenditure-only political action committee (*i.e.*, a “super PAC”), originally formed in 2012 under the name “Geaux PAC.”<sup>1</sup> It stated to the Commission upon its formation that it “intends to raise funds in unlimited amounts from individuals and corporations,” but “will not use those funds to make contributions, whether direct, in-kind, or via coordinated communications, to federal candidates or committees.”<sup>2</sup>
8. In the 2020 election cycle, Our American Century raised over \$7.55 million, \$7 million of which came from one individual, and \$500,000 of which came from another individual.<sup>3</sup> It reported \$5.5 million in independent expenditures.<sup>4</sup> All of Our American Century's independent expenditures supported presidential candidate Donald J. Trump or opposed presidential candidate Joseph Biden, and each independent expenditure was reported to the

<sup>1</sup> Geaux PAC, Statement of Organization, FEC Form 1 (filed Oct. 11, 2012), <https://docquery.fec.gov/pdf/172/12030913172/12030913172.pdf>; Our American Century, Statement of Organization, FEC Form 1 at 1 (amended Feb. 15, 2017), <https://docquery.fec.gov/pdf/496/201702159049699496/201702159049699496.pdf> (amending statement of organization to change committee's name, address, email address, and website).

<sup>2</sup> Letter from Geaux PAC to FEC (Oct. 11, 2012), <https://docquery.fec.gov/pdf/172/12030913172/12030913172.pdf>.

<sup>3</sup> Our American Century, Receipts, 2019-20, FEC.GOV, [https://www.fec.gov/data/receipts/?two\\_year\\_transaction\\_period=2020&committee\\_id=C00532630&data\\_type=processed](https://www.fec.gov/data/receipts/?two_year_transaction_period=2020&committee_id=C00532630&data_type=processed) (showing Fredric Eshelman giving one \$5 million contribution and two \$1 million contributions, and Timothy Dunn giving \$500,000) (last visited Dec. 16, 2020).

<sup>4</sup> Our American Century, 2020 Post General Report, FEC Form 3X at 3-4 (filed Dec. 3, 2020), <https://docquery.fec.gov/pdf/475/202012039338271475/202012039338271475.pdf>.

Commission as “digital media.”<sup>5</sup> The super PAC did not disclose contributions to any candidate’s campaign committee.<sup>6</sup>

9. According to Google’s political ad archive, between October 8, 2020 and November 3, 2020, Our American Century spent \$259,800 on ads run on Google platforms such as YouTube.<sup>7</sup> At least six of those purchases republished a video ad originally created by Donald J. Trump’s campaign committee titled “As per your request, Joe,” and available on Trump’s YouTube page.<sup>8</sup> The ad purchases were as follows:

- a) Between October 23, 2020 and October 30, 2020, Our American Century spent between \$1,000 and \$50,000 to distribute “As per your request, Joe” to voters in Michigan;<sup>9</sup>
- b) Between October 23, 2020 and October 30, 2020, Our American Century spent between \$1,000 and \$50,000 to distribute “As per your request, Joe” to voters in Ohio;<sup>10</sup>

<sup>5</sup> Our American Century, Independent Expenditures (24- and 48-hour reports), 2019-20, FEC.GOV, [https://www.fec.gov/data/independent-expenditures/?data\\_type=processed&committee\\_id=C00532630&is\\_notice=true&most\\_recent=true&min\\_date=01%2F01%2F2019&max\\_date=12%2F31%2F2020](https://www.fec.gov/data/independent-expenditures/?data_type=processed&committee_id=C00532630&is_notice=true&most_recent=true&min_date=01%2F01%2F2019&max_date=12%2F31%2F2020) (last visited Dec. 16, 2020); Our American Century, Independent Expenditures (regularly scheduled reports), 2019-20, FEC.GOV, [https://www.fec.gov/data/independent-expenditures/?data\\_type=processed&committee\\_id=C00532630&is\\_notice=false&most\\_recent=true&min\\_date=01%2F01%2F2019&max\\_date=12%2F31%2F2020](https://www.fec.gov/data/independent-expenditures/?data_type=processed&committee_id=C00532630&is_notice=false&most_recent=true&min_date=01%2F01%2F2019&max_date=12%2F31%2F2020) (last visited Dec. 16, 2020).

<sup>6</sup> Our American Century, Disbursements, 2019-20, FEC.GOV, [https://www.fec.gov/data/disbursements/?committee\\_id=C00532630&two\\_year\\_transaction\\_period=2020&data\\_type=processed](https://www.fec.gov/data/disbursements/?committee_id=C00532630&two_year_transaction_period=2020&data_type=processed) (showing no contributions to other committees) (last visited Dec. 16, 2020).

<sup>7</sup> Our American Century, Google Transparency Report, GOOGLE <https://transparencyreport.google.com/political-ads/advertiser/AR309697722208747520> (last visited Dec. 11, 2020).

<sup>8</sup> Donald J. Trump, “As Per Your Request, Joe...,” YOUTUBE (Oct. 22, 2020), [https://www.youtube.com/watch?v=NnrEh9\\_5\\_9I](https://www.youtube.com/watch?v=NnrEh9_5_9I).

<sup>9</sup> Our American Century, “As Per Your Request, Joe...,” (disseminated in Michigan Oct. 23, 2020 – Oct. 30, 2020), Google Transparency Report, GOOGLE, <https://transparencyreport.google.com/political-ads/advertiser/AR309697722208747520/creative/CR502843432302018560>.

<sup>10</sup> Our American Century, “As Per Your Request, Joe...,” (disseminated in Ohio Oct. 23, 2020 – Oct. 30, 2020), Google Transparency Report, GOOGLE, <https://transparencyreport.google.com/political-ads/advertiser/AR309697722208747520/creative/CR330228902834208768>.

- c) Between October 23, 2020 and October 30, 2020, Our American Century spent between \$1,000 and \$50,000 to distribute “As per your request, Joe” to voters in Pennsylvania;<sup>11</sup>
  - d) Between October 23, 2020 and October 30, 2020, Our American Century spent between \$1,100 and \$51,000 on two ad buys to distribute “As per your request, Joe” to voters in Arizona;<sup>12</sup> and
  - e) Between October 26, 2020 and October 30, 2020, Our American Century spent an additional \$1,000 to \$50,000 to distribute “As per your request, Joe” to voters in Arizona.<sup>13</sup>
10. The disclaimer at the end of each video ad stated “paid for by Donald J. Trump for President, Inc.,” yet the Google archive shows that Our American Century paid to disseminate the communications.

#### SUMMARY OF THE LAW

11. In the 2020 cycle, the statutory limit on the amount a federal candidate or his authorized campaign committee may accept from an individual donor is \$2,800 per election. 52 U.S.C. § 30116(a)(1). Contributions from a multicandidate committee to a candidate or authorized committee may not exceed \$5,000 per calendar year. 52 U.S.C. § 30116(a)(2)(A).

<sup>11</sup> Our American Century, “As Per Your Request, Joe...,” (disseminated in Pennsylvania Oct. 23, 2020 – Oct. 30, 2020), Google Transparency Report, GOOGLE, <https://transparencyreport.google.com/political-ads/advertiser/AR309697722208747520/creative/CR45376226403024896>.

<sup>12</sup> Our American Century, “As Per Your Request, Joe...,” (disseminated in Arizona Oct. 23, 2020 – Oct. 30, 2020), Google Transparency Report, GOOGLE, <https://transparencyreport.google.com/political-ads/advertiser/AR309697722208747520/creative/CR357180131854254080> (“Amount spent \$1k-\$50k”); Our American Century, “As Per Your Request, Joe...,” (disseminated in Arizona Oct. 23, 2020 – Oct. 30, 2020), Google Transparency Report, GOOGLE, <https://transparencyreport.google.com/political-ads/advertiser/AR309697722208747520/creative/CR498269463930470400> (“Amount spent \$100-\$1k”).

<sup>13</sup> Our American Century, “As Per Your Request, Joe...,” (disseminated in Arizona Oct. 26, 2020 – Oct. 30, 2020), Google Transparency Report, GOOGLE, <https://transparencyreport.google.com/political-ads/advertiser/AR309697722208747520/creative/CR371102148085153792>.

12. A “contribution” includes “any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.” 52 U.S.C. § 30101(8)(A)(i); *see also* 11 C.F.R. §§ 100.52(a), 114.1(a)(1). “Anything of value” includes all in-kind contributions. 11 C.F.R. § 100.52(d)(1).
13. FECA provides that “the financing by any person of the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign materials prepared by the candidate, his campaign committees, or their authorized agents shall be considered an expenditure.” 52 U.S.C. § 30116(a)(7)(B)(iii). Commission regulations further provide that the republication of campaign materials “prepared by the candidate, the candidate's authorized committee, or an agent of the foregoing” is a contribution for purposes of contribution limitations and reporting responsibilities of the person making the expenditure. 11 C.F.R. § 109.23(a). The candidate who prepared the materials is not considered to have received an in-kind contribution and is not required to report an expenditure, unless the republication is a coordinated communication under 11 C.F.R. §§ 109.21 or 109.37. *Id.*
14. The Commission explained this rule as follows:
 

[W]hether or not the dissemination, distribution, or republication qualifies as a coordinated communication under 11 CFR 109.21, paragraph (a) of section 109.23, like former section 109.1(d)(1), requires the person financing such dissemination, distribution, or republication *always* to treat that financing, for the purposes of that person’s contribution limits and reporting requirements, as an in-kind contribution made to the candidate who initially prepared the campaign material. In other words, the person financing the communication must report the payment for that communication if that person is a political committee or is otherwise required to report contributions. Furthermore, that person must count the amount of the payment towards that person’s contribution limits with respect to that candidate under 11 CFR 110.1 (persons other than political committees) or 11 CFR 110.2 (multicandidate political committees) . . .

*Coordinated and Independent Expenditures*, Final Rules & Explanation & Justification, 68 Fed. Reg. 421, 442 (Jan. 3, 2003) (emphasis added).

15. The Commission has previously found reason to believe that a super PAC violated the contribution limits at 52 U.S.C. § 30116(a) and reporting requirements at 52 U.S.C. § 30104(b) by republishing substantial portions of a candidate’s campaign advertisement, and entered into a conciliation agreement. MUR 6535 (Restore Our Future), Conciliation Agreement at 1-4;<sup>14</sup> *see also* MUR 6535 (Restore Our Future), Factual and Legal Analysis at 1-7.<sup>15</sup>
16. A nonconnected political committee may only accept contributions of up to \$5,000 in a calendar year, 52 U.S.C. § 30116(a)(1)(C), and shall not knowingly accept any contribution in excess of FECA’s limits, 11 C.F.R. § 110.9. However, a nonconnected committee may raise funds in unlimited amounts if it does not use those funds to make direct or in-kind contributions to federal candidates or committees. Advisory Opinion 2010-11 at 2-3 (Commonsense Ten) (July 22, 2010); *see also SpeechNow.org v. FEC*, 599 F.3d 686, 689 (D.C. Cir. 2010) (en banc).
17. All public communications that expressly advocate the election of a clearly identified federal candidate must include a disclaimer identifying who paid for the communication, and

<sup>14</sup> Available at Notification with Factual and Legal Analysis to Campaign Legal Center from FEC at 2-5, MUR 6535 (Nov. 19, 2015) <https://www.fec.gov/files/legal/murs/6535/15044382273.pdf>.

<sup>15</sup> Available at *id.* at 6-12. In that case, the super PAC republished an advertisement created five years earlier, by the candidate’s campaign in a previous election cycle; the Commission acknowledged that MUR 6535 was a “case of first impression,” since the agency had “not previously considered whether the phrase ‘campaign materials prepared by the candidate [or] his campaign committees’ is limited to campaign materials prepared during the same election cycle in which a third party republishes the materials.” MUR 6535 (Restore Our Future), Factual and Legal Analysis at 5, 7. The super PAC interpreted the regulation’s use of the term “candidate” to limit its scope to candidate materials created within the same election cycle, an interpretation that the Commission acknowledged “was not unreasonable.” *Id.* at 7. Given those “unique circumstances,” the Commission exercised its discretion to enter into a pre-probable cause conciliation agreement, and the super PAC agreed to a \$50,000 fine. MUR 6535 (Restore Our Future), Conciliation Agreement at 3. None of those mitigating factors are present here.

whether the communication was authorized by a candidate. 52 U.S.C. § 30120(a); 11 C.F.R. § 110.11. A disclaimer on such a communication that is not paid for or authorized by a candidate must “clearly state the full name and permanent street address, telephone number, or World Wide Web address of the person who paid for the communication and state that the communication is not authorized by any candidate or candidate’s committee.” 52 U.S.C. § 30120(a)(3); 11 C.F.R. § 110.11(b)(3). The term “public communication” includes “communications placed for a fee on another person’s Web site.” 11 C.F.R. § 100.26. A person paying for a digital public communication that expressly advocates the election of a clearly identified federal candidate must include all disclaimer information specified by 52 U.S.C. § 30120(a). Advisory Opinion 2017-12 at 1 (Take Back Action Fund) (Dec. 15, 2017).

## CAUSES OF ACTION

### COUNT I:

#### **OUR AMERICAN CENTURY MADE ILLEGAL, EXCESSIVE, AND UNREPORTED IN-KIND CONTRIBUTIONS BY REPUBLISHING TRUMP CAMPAIGN MATERIALS**

18. Our American Century spent between \$5,100 and \$251,000 on Google financing the dissemination, distribution, or republication of a campaign advertisement prepared by the Donald J. Trump campaign committee or its agents.<sup>16</sup>
19. Republication “of campaign materials prepared by the candidate, his campaign committees, or their authorized agents” is a contribution subject to FECA’s limits, prohibitions, and reporting requirements. 52 U.S.C. § 30116(a)(7)(b)(iii); 11 C.F.R. § 109.23(a).

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<sup>16</sup> See sources cited *supra* ¶ 9. The spending information for each ad in the Google ad library is only provided in ranges (*e.g.*, \$100-\$1,000, \$1,000-\$50,000) rather than in discrete amounts.

20. On its reports filed with the Commission, Our American Century did not report any contributions to the Trump campaign committee.<sup>17</sup>
21. As a result, there is reason to believe that Our American Century violated 52 U.S.C. § 30116(a) by making excessive in-kind contributions to Donald J. Trump for President, Inc., and additionally violated 52 U.S.C. § 30104(b) by failing to report those excessive contributions. Because there is reason to believe, the Commission should investigate the full extent of the violation, and examine whether the committee republished Trump advertisements on platforms other than Google, since only \$259,800 out of the \$5.5 million that Our American Century spent on digital independent expenditures appeared on Google networks.
22. The Commission has previously found reason to believe that a super PAC violated FECA by republishing a candidate's campaign advertisement, and exercised its discretion to enter into a conciliation agreement and levy a relaxed \$50,000 fine. MUR 6535 (Restore Our Future), Conciliation Agreement at 1-4.<sup>18</sup> The Commission should seek more significant penalties in this case. The Commission should seek civil penalties commensurate with the severity of the violation that are significant enough to deter others from repeating it.

**COUNT II:**  
**OUR AMERICAN CENTURY ILLEGALLY ACCEPTED EXCESS CONTRIBUTIONS**

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<sup>17</sup> See sources cited *supra* ¶ 8.

<sup>18</sup> The Commission exercised its discretion in MUR 6535 because it involved several mitigating factors not present here: it was a “case of first impression” where a super PAC republished substantial portions of a candidate advertisement created five years earlier in a previous election cycle, and where the respondent’s regulatory interpretation was “not unreasonable.” MUR 6535 (Restore Our Future), Factual and Legal Analysis at 1-7, Conciliation Agreement at 1-4. There are no such mitigating factors in this case: the advertisement republished by Our American Century was created by Trump’s campaign just weeks before, and Our American Century republished the ad in its entirety, with the ad even including the original “paid for by Donald J. Trump for President” disclaimer.



23. A nonconnected political committee may raise funds in unlimited amounts only if it does not use those funds to make contributions to federal candidates or committees. Advisory Opinion 2010-11 at 2-3 (Commonsense Ten); *see also SpeechNow.org v. FEC*, 599 F.3d 686, 689 (D.C. Cir. 2010) (en banc). Upon its formation, Our American Century told the Commission in a sworn statement that it “intends to raise funds in unlimited amounts from individuals and corporations,” but “will not use those funds to make contributions, whether direct, in-kind, or via coordinated communications, to federal candidates or committees.”<sup>19</sup>
24. In the 2020 cycle, Our American Century raised \$7 million from one individual, and \$500,000 from another individual; as described *supra* Count I, it then used those funds to make contributions to Donald J. Trump for President, Inc.
25. Because Our American Century made contributions to a candidate’s campaign committee, it was not entitled to raise funds in unlimited amounts. As a result, it violated 52 U.S.C. § 30116(a)(1)(C) and 11 C.F.R. § 110.9 by accepting contributions in excess of FECA’s limits, and additionally violated its sworn statement to the Commission that it would not make contributions to a candidate committee.

**COUNT III:  
OUR AMERICAN CENTURY VIOLATED DISCLAIMER REQUIREMENTS**

26. Persons paying for digital independent expenditures must include a disclaimer that “clearly state[s] the full name and permanent street address, telephone number, or World Wide Web address of the person who paid for the communication and state[s] that the communication is not authorized by any candidate or candidate’s committee.” 52 U.S.C § 30120(a)(3); Advisory Opinion 2017-12 at 1 (Take Back Action Fund) (Dec. 15, 2017).

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<sup>19</sup> See sources cited *supra* ¶7.



27. Our American Century paid between \$5,100 and \$251,000 to disseminate the “As per your request, Joe” video advertisement on Google’s networks, yet the advertisement ended with a disclaimer that stated “Paid for by Donald J. Trump for President, Inc.”<sup>20</sup>
28. Therefore, there is reason to believe Our American Century violated section 30120(a) by failing to include a disclaimer stating that it paid for the “As per your request, Joe” communications, failing to include its address, telephone number, or website address, and failing to disclose whether the communication was authorized by any candidate or candidate’s committee.

#### PRAYER FOR RELIEF

29. Wherefore, the Commission should find reason to believe that Our American Century violated 52 U.S.C. § 30101, *et seq.*, and should conduct an immediate investigation under 52 U.S.C. § 30109(a)(2).
30. The Commission should seek appropriate sanctions for any and all violations, including civil penalties sufficient to deter future violations and an injunction prohibiting the respondents from any and all violations in the future, and should seek such additional remedies as are necessary and appropriate to ensure compliance with the FECA.

Respectfully submitted,



Campaign Legal Center, by  
Brendan M. Fischer  
1101 14th Street, NW, Suite 400  
Washington, DC 20005  
(202) 736-2200

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<sup>20</sup> See sources cited *supra* ¶ 9.

A handwritten signature in blue ink, appearing to read "Margaret Christ", is written over a horizontal line.

Margaret Christ  
1101 14th Street NW, Suite 400  
Washington, DC 20005  
(202) 736-2200

**Brendan M. Fischer**  
Campaign Legal Center  
1101 14th Street, NW, Suite 400  
Washington, DC 20005  
Counsel to the Campaign Legal Center,  
Margaret Christ

December 16, 2020

### VERIFICATION

The complainants listed below hereby verify that the statements made in the attached Complaint are, upon their information and belief, true.

Sworn pursuant to 18 U.S.C. § 1001.



For Complainant Margaret Christ

A handwritten signature in blue ink, appearing to read "Margaret Christ", written over a horizontal line.

Margaret Christ

Sworn to and subscribed before me this 16 day of December 2020.

A handwritten signature in blue ink, written over a horizontal line.  
Notary Public

For Complainant Campaign Legal Center

A handwritten signature in blue ink, appearing to read "B F", written over a horizontal line.

Brendan M. Fischer

Sworn to and subscribed before me this 16 day of December 2020.

A handwritten signature in blue ink, written over a horizontal line.  
Notary Public

**Declaration of Melena S. Siebert**

I, Melena S. Siebert, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am an attorney employed by The Bopp Law Firm, P.C. (“BLF”). I and BLF represent The Bopp Law Firm and James Bopp, Jr. in the above-captioned case.
2. On January 11, 2021, I downloaded the “Entity Details” and a copy of the Certificate of Formation from the State of Delaware Division of Corporations for the Old Town Digital Agency, LLC. True and correct copies of those documents are included in Exhibit 6 to Defendants’ Opposition to Plaintiff’s Emergency Application for TRO and Motion for Preliminary Injunction. On the same day, I searched Google for information on Old Town Digital Agency, LLC. True and correct copies of the first two result pages are included in Exhibit 6 to Defendants’ Opposition to Plaintiff’s Emergency Application for TRO and Motion for Preliminary Injunction.
3. On January 20, 2021, I looked at and downloaded Dikran Yacoubian’s LinkedIn profile. True and correct copies of this profile are included in Exhibit 6 to Defendants’ Opposition to Plaintiff’s Emergency Application for TRO and Motion for Preliminary Injunction.
4. On January 21, 2021, I looked and downloaded information regarding Our American Century from OpenSecrets.org, including its expenditures and Eshelman’s donor detail. True and correct copies of these pages are included in Exhibit 6 to Defendants’ Opposition to Plaintiff’s Emergency Application for TRO and Motion for Preliminary Injunction.
5. On January 21, 2021, I looked at and downloaded the complaint filed at the FEC against Our American Century. A true and correct copy of this complaint is included in Exhibit 6 to Defendants’ Opposition to Plaintiff’s Emergency Application for TRO and Motion for

**Decl. of Melena Siebert**

Preliminary Injunction.

I affirm under penalty of perjury that the foregoing is true and correct. Executed on this 13th day of January, 2021.

/s/ Melena S. Siebert  
Melena S. Siebert

**Decl. of Melena Siebert**

-2-

**Exhibit 7**  
**to**  
**Declaration of Defendant Catherine Engelbrecht**  
**“Validate the Vote Project Continues in Georgia”**

get my attention. Also want to see what happens with reward program before making a decision. Not saying no, but it's beyond the time that people put their money where their mouths are.

**From:** Tom Crawford <tomcrawforddc@gmail.com>

**Sent:** Thursday, November 5, 2020 8:26 AM

**To:** Fred Eshelman <fred@eshelmanventures.com>

**Subject:** Re: counting

Don't shoot me...Republicans now reaching out to ask if we will play in GA senate run-off. What we did with LPVs in NC, MI, WI, NV is getting a ton of attention and seen as having saved NC (and May deliver a margin in NV) and increased turnout in each state we played in with the rare cohort of fresh votes. It looks like we could have two races (Perdue at 50 even with two percent out and Loeffler in second place with just under 30 percent so for sure with her). We need them both to have the Senate 51-49. I am fairly sure I can get significant additional supporters. This works always starts with matching, but I think I could turn \$1 million into at least \$10 million and potentially more as we demonstrate our results. Might be a good opportunity to teach these idiots to play smarter. We have to win these and I hate to raise it but that's where we sit. Again, knowing you are locked and loaded don't shoot me!

Sent from my iPhone

On Nov 5, 2020, at 7:44 AM, Fred Eshelman  
<fred@eshelmanventures.com> wrote:

Don't drag too long—evidence has a way of disappearing and people get threatened. Don't forget fraud reward.....

**From:** Tom Crawford <tomcrawforddc@gmail.com>

**Sent:** Thursday, November 5, 2020 7:43 AM

**To:** Fred Eshelman <fred@eshelmanventures.com>

**Subject:** Re: counting

Trump Campaign assembling an impressive array of cheating/fraud issues. This could drag on for a long time.

Sent from my iPhone

**From:** [Fred Eshelman](#)  
**To:** [Sabrina R. Tour](#)  
**Subject:** FW: polling  
**Date:** Wednesday, January 6, 2021 12:28:50 PM

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CAUTION: EXTERNAL EMAIL

**From:** Fred Eshelman  
**Sent:** Friday, November 6, 2020 7:34 AM  
**To:** Tom Crawford <tomcrawforddc@gmail.com>  
**Subject:** RE: polling

GA is another blow in this never-ending nightmare

**From:** Tom Crawford <tomcrawforddc@gmail.com>  
**Sent:** Friday, November 6, 2020 7:33 AM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Subject:** Re: polling

Yes, that was something I was think we could do to legitimize the effort. Working on messaging/press release and collateral for rollout and Catherine now.

Sent from my iPhone

On Nov 6, 2020, at 5:10 AM, Fred Eshelman <fred@eshelmanventures.com> wrote:

Anything to be done with polling around this new effort? Might be good PR if it shows overwhelming support.



**From:** [Fred Eshelman](#)  
**To:** [Sabrina R. Tour](#)  
**Subject:** FW: True the Vote  
**Date:** Wednesday, January 6, 2021 12:32:21 PM

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CAUTION: EXTERNAL EMAIL

**From:** Fred Eshelman  
**Sent:** Friday, November 6, 2020 9:30 PM  
**To:** Tom Crawford (tomcrawforddc@gmail.com) <tomcrawforddc@gmail.com>  
**Subject:** FW: True the Vote

fyi

**From:** Art Williams <artwilliams7777@gmail.com>  
**Sent:** Friday, November 6, 2020 6:34 PM  
**To:** Fred Eshelman <fred@eshelmanventures.com>  
**Cc:** Robert A. Ingram <ingram@hatterasvp.com>  
**Subject:** Re: True the Vote

THANK YOU FRED.....YOU ARE A REAL PATRIOT .....I AM SORRY BUT WE ARE GOING TO  
CONTRIBUTE ALL OF OUR MONEY TO THE GEORGIA SENATE RUNOFF.....IT IS CRITICAL THAT WE  
CONTROL THE SENATE IN ORDER TO STOP THE CRAZY DEMS.....THANK YOU FOR WHAT YOU ARE  
DOING.....SINCERELY, ART

Sent from my iPad

On Nov 6, 2020, at 11:25 AM, Fred Eshelman <fred@eshelmanventures.com> wrote:

Mr. Williams,

I don't think that we have met, but Bob Ingram suggested that I reach out to you regarding a crucial undertaking to protect our democracy. We are facing an existential internal threat if Biden is elected President, and in particular if Democrats should flip the Senate. Even more importantly, our country is being turned into a banana republic with the widespread attacks on the foundation of our country, fair and accurate voting.

I am deeply involved in an effort to turn this around, expose the fraud and use legal means to reverse what is happening in key states (please see attachment). This is being launched today, and we hope to have the first real evidence on national network today or in the next few. I have already donated \$2.5M and expect to give more. We cannot lose this fight. Bob has also agreed to help.

Would you be able/inclined to help us in a big way? Our country and way of life are literally at stake. I am available to talk to you about this if you would like to. 910 558 6840 or 910 793 1939 (home)

Thanks very much for considering this.

Best,

Fred Eshelman

**From:** Nan Howard <nan@eshelmanventures.com>

**Sent:** Friday, November 6, 2020 11:05 AM

**To:** Fred Eshelman <fred@eshelmanventures.com>

**Subject:** True the Vote

**Nan Howard**

Work: 910.558.6885 || Mobile: 910-620-5552 [nan@eshelmanventures.com](mailto:nan@eshelmanventures.com)

**Eshelman Ventures, LLC** || 319 North 3<sup>rd</sup> Street, Suite 301, Wilmington, NC 28401

<True The Vote.pdf>

Press Releases

# TRUE THE VOTE LASER FOCUSED ON GEORGIA BALLOT COUNT; CALLS ON ARMY OF VOLUNTEERS TO ASSIST THE EFFORT

By True the Vote    November 10, 2020

True the Vote Laser Focused on Georgia Ballot Count; Calls on Army of  
Volunteers to Assist the Effort

HOUSTON, Texas – True the Vote Founder and President Catherine Engelbrecht  
released the following statement regarding the contested elections in Georgia:

**Exhibit 7, page 5**

“Yesterday, Georgia’s two sitting Senators jointly called for the resignation of their state’s Secretary of State – a member of their own party – due to the egregious mismanagement of the state’s ballot counting efforts, which remain underway. The Office of Georgia’s Governor followed up with a critical statement calling on the Secretary of State to take a serious look at numerous allegations of fraud and irregularities. While the media and others may be content to move on from our most recent election, we cannot ignore the fact that votes are still being counted in numerous states and all states’ elections have yet to be certified.

“True the Vote is committed to fact-checking credible allegations from start to finish, and our eyes are laser-focused on the state of Georgia. We are calling our entire network of volunteers to mobilize in key areas across Georgia, where they will be on the ground, serving election workers and observing the ballot count, ensuring that every legal vote is counted and every illegitimate vote is not.

“Never in our history has there been such blatant disregard for election integrity. During these pivotal times, we refuse to stand on the sidelines. True the Vote will keep fighting to ensure 2020 election returns reflect the principle of ‘one vote for one voter’ and to repair our broken elections once and for all.”

True the Vote recently launched **Validate the Vote**, an initiative that establishes a whistleblower fund in excess of \$1 million to support those who come forward with credible evidence of criminal malfeasance, takes the steps to resolve illegal actions through litigation, and ensures the final vote tally is valid to maintain public confidence in the U.S. election system. True the Vote has already received thousands of reports to our **Election Integrity Hotline** from citizens in Georgia and around the country.

The following is a timeline of key dates surrounding this contested election:

- Dec. 8: “Safe Harbor” – date by which states must certify results and assign electors. If an

election is in dispute, state legislatures may assign electors.

- Dec. 14: Electors meet in their states to cast votes for the president and VP.
- Jan. 3: New Congress is sworn in; 117th session starts.
- Jan. 6: Electoral votes are counted in House chamber by members of House and Senate; if neither candidate has 270 electoral college votes, the election is in dispute.
- Jan. 20: Inauguration Day – new president takes oath of office. In a disputed election, the House will appoint the president and Senate will choose the VP



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*True the Vote (TTV) is an IRS-designated 501(c)3 voters' rights organization, founded to inspire and equip volunteers for involvement at every stage of our electoral process. TTV empowers organizations and individuals across the nation to actively protect the rights of legitimate voters, regardless of their political party affiliation. For more information, please visit [www.truethevote.org](http://www.truethevote.org).*

Georgia

Georgia Senate Race

Validate The Vote



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Press Releases

# TRUE THE VOTE LAUNCHES GEORGIA ELECTION INTEGRITY HOTLINE AS PART OF THE MOST COMPREHENSIVE BALLOT SECURITY EFFORT IN GEORGIA HISTORY

By True the Vote    December 15, 2020

True the Vote Launches Georgia Election Integrity Hotline as Part of the Most Comprehensive Ballot Security Effort in Georgia History

*Election Integrity Hotline to Serve as Important Resource for Georgia Voters and Volunteers in Senate Runoff Elections*



ATLANTA, Georgia – True the Vote today launched a Georgia Election Integrity Hotline to assist Georgia voters and volunteers during the Senate runoff elections. The hotline offers live, bilingual support 24 hours a day for Georgians who have questions or concerns, or who have witnessed election fraud, manipulation or illegal action taking place. Voters can fill out an online report available at [GAValidateTheVote.org](https://GAValidateTheVote.org) or call the hotline at 855-702-0702.

“True the Vote is working around the clock to provide critical tools and resources for Georgia voters as we head into the final days before the runoff elections,” said True the Vote Founder and President Catherine Engelbrecht. “Our Georgia Election Integrity Hotline will serve as an important resource to voters, volunteers, and election workers who believe in ensuring the law is upheld throughout our election process. Anyone with questions or concerns during the election can call our live, bilingual voter hotline or submit a report online and we’ll be available 24 hours a day, seven days a week to respond, assist, and take action as necessary. We are all citizen watchdogs and we are asking voters to join us as we focus our ‘Eyes On Georgia’ in the most comprehensive ballot security initiative in Georgia history.”

This week, True the Vote also announced its [partnership with the Georgia Republican Party](#). In addition to the Georgia Election Integrity Hotline, True the vote will assist with the Senate runoff election process, including publicly available signature verification training, monitoring absentee ballot drop boxes, and other nonpartisan election integrity initiatives.

# # #

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Press Releases

# TRUE THE VOTE PARTNERS WITH GEORGIANS IN EVERY COUNTY TO PREEMPTIVELY CHALLENGE 364,541 POTENTIALLY INELIGIBLE VOTERS

By True the Vote    December 18, 2020

True the Vote Partners with Georgians in Every County to Preemptively Challenge 364,541 Potentially Ineligible Voters

*Citizen-led Effort Seeks to Confirm All Votes Cast in U.S. Senate Runoff Elections are Legal, While Ensuring Any Voter Challenged Has Full Opportunity to Prove Their Voting Eligibility*



ATLANTA, Georgia – True the Vote announced today it is submitting 364,541 Elector Challenges on behalf of Georgia voters representing all 159 counties. An Elector Challenge is a unique feature in Georgia law (GA. CODE ANN. § 21-2-230). It allows a voter to challenge the eligibility of any other voters in his or her county if probable cause exists to show that the challenged voter does not meet the qualifications legally required to cast a ballot. It represents one of the few vehicles that states have to update voter rolls ahead of an election without compromising any legitimate voters’ right to have their vote counted.

“Ongoing debates about the November election throughout the country have Americans focused intently on improving the integrity of our elections and restoring the faith of voters. Today we assisted concerned Georgia voters in taking a stand for the sanctity of every legal vote,” said Catherine Engelbrecht, the founder and president of True the Vote. “It is our hope that this historic challenge marks the beginning of the great awakening of American voters to serve our democracy by getting involved in the process.

“We are proud to be working alongside patriots from across the Peach State; Derek Somerville of Forsyth county and Mark Davis of Gwinnett county who have been leading citizen efforts to highlight issues in Georgia’s voter rolls, Mark Williams of Gwinnett County who coordinated among eight print shops to get written challenges printed and delivered within 48 hours, and Ron Johnson of Jackson County and James Cooper of Walton County, who led the charge in recruiting hundreds of volunteer challengers across the state,” Engelbrecht continued. “Everyone pitched in. This is the power of citizen engagement and the core of what True the Vote exists to do in our pursuit of free, fair and secure elections.”

Today’s landmark coordinated challenge is the result of True the Vote’s voter registry research, which identified 124,114 registered voters who no longer reside in the county of record and 240,427 voters who no longer reside in the state of Georgia, according to

filings with the United States Postal Service National Change of Address (NCOA) and other supporting commercial databases. True the Vote's research was performed uniformly across all counties, without regard to any demographic or voting history.

"Filing the challenges preemptively, before absentee ballots are opened, will help ensure only legal, eligible votes are counted in Georgia's January 5 runoff elections," Engelbrecht concluded.

According to Georgia law, an Elector Challenge must be filed before a vote is cast. Once a vote has been cast, or in the case of absentee ballots, once the ballot has been removed from its signed envelope, there is no way to identify which ballot belongs to the ineligible party.

In fact, the best way to ensure only eligible voters are voting in the upcoming runoff elections is through Elector Challenges. States must comply with National Voter Registration Act standards in cleaning their voter rolls. Under Section 8 of the National Voter Registration Act, states are required to conduct a general voter registration list maintenance program that makes a reasonable effort to remove ineligible voters. The NVRA's standards limit removal of names only to very narrow conditions, with ineligible names remaining on the list over an extended period of time.

An Elector Challenge does not remove voter names from the registry. Voters who have been challenged will have the opportunity, via GA. CODE ANN. § 21-2-230 to prove eligibility and still have their vote counted in the upcoming runoff election.

"I've said since Election Day that I must follow the law in the execution of our elections, and I've also encouraged Georgians to report any suspected problems for my office to investigate," said Georgia Secretary of State Brad Raffensperger. "Though federal law restricts our ability to update our voter registration lists, the Elector Challenge is a vehicle under our law to ensure voter integrity. I support any effort that builds faith in



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Press Releases

# TRUE THE VOTE'S ELECTION INTEGRITY EFFORTS AFFIRMED BY FEDERAL COURT

By True the Vote January 2, 2021

True the Vote's Election Integrity Efforts Affirmed by Federal Court

ATLANTA, Georgia – True the Vote's efforts to protect election integrity in Georgia's U.S. Senate runoff election won another federal court battle last night, with District Court Judge Steve C. Jones ruling against Fair Fight's request to stop True the Vote's work

Exhibit 7, page 13

that simply follows the procedure outlined in state law. This ruling follows a separate federal court ruling that allowed elector challenges in Muscogee and Ben Hill counties to proceed.

“These rulings affirm the truth that citizens play an important role in preserving election integrity by asking questions and challenging inaccuracies,” said Catherine Engelbrecht, founder and president of True the Vote. “Georgians owe a debt of gratitude to the registrars in Muscogee and Ben Hill counties who bravely told the court they’d discovered voters who had in fact moved out of state and were attempting to vote in this election – and would have if citizens had not submitted these challenges. And the Georgia citizens sued by Fair Fight were spending time with their families on Christmas Eve when they were served with court papers. They stood strong against these intimidation tactics and harassment.”

One of the defendants, Ron Johnson of Jackson County, said his involvement in this election integrity effort builds on his service to his country as a U.S. Marine.

“I’m so proud to be a part of this effort,” Johnson said. “I took an oath the first time in 1964 to support and defend the Constitution of the United States against all enemies foreign and domestic, so help me, God. That oath still stands today. What a way to start 2021!”

True the Vote’s counsel James Bopp represented the defendants in the Fair Fight case.

“These courageous citizens were targeted because they dared to stand up for their rights,” Bopp said. “Like true patriots, they stood strongly by the Constitution and the laws of their state and they effected positive change. This is what citizen engagement looks like: There are forces that will try to stop us, but we’ll never stop fighting to defend our democracy.”

Engelbrecht said True the Vote will continue its work in the Georgia elections, with additional hearings on voter eligibility scheduled.

“Let the voters be heard. Let every legal, eligible voter have their vote counted,” Engelbrecht said. “For this to happen, it is critical that those not eligible to vote are prevented from doing so. True the Vote – a completely citizen-led organization – exists for the purpose of championing voting rights, ensuring all law-abiding Americans have the tools they need to cast their ballot, and we are committed to that important work in Georgia and beyond.

“To the legal Georgia voters who have not yet cast their ballots, your fellow Georgians are holding the line for you. Go vote Tuesday!”

# # #

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Georgia Runoff Elections



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